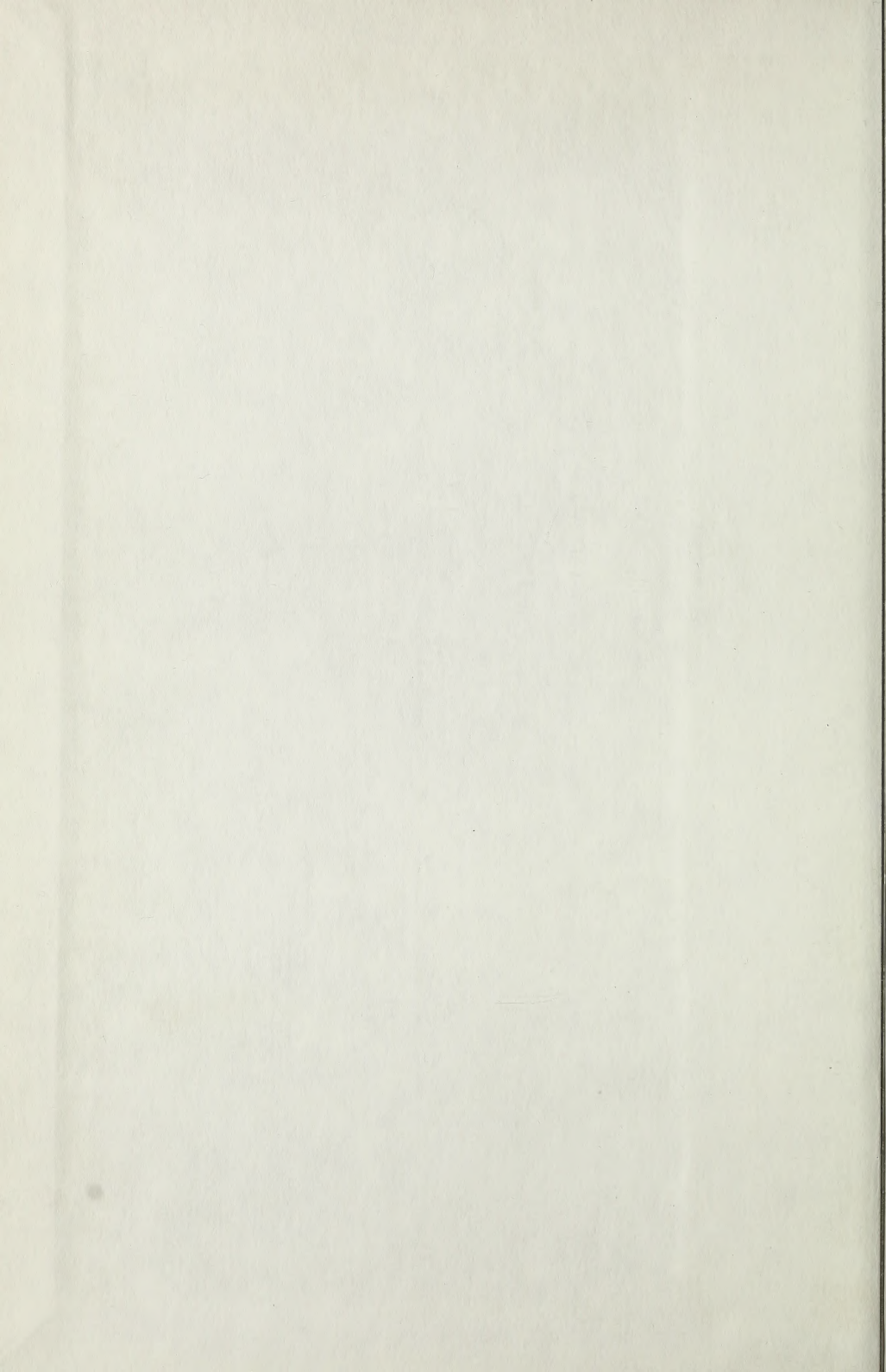
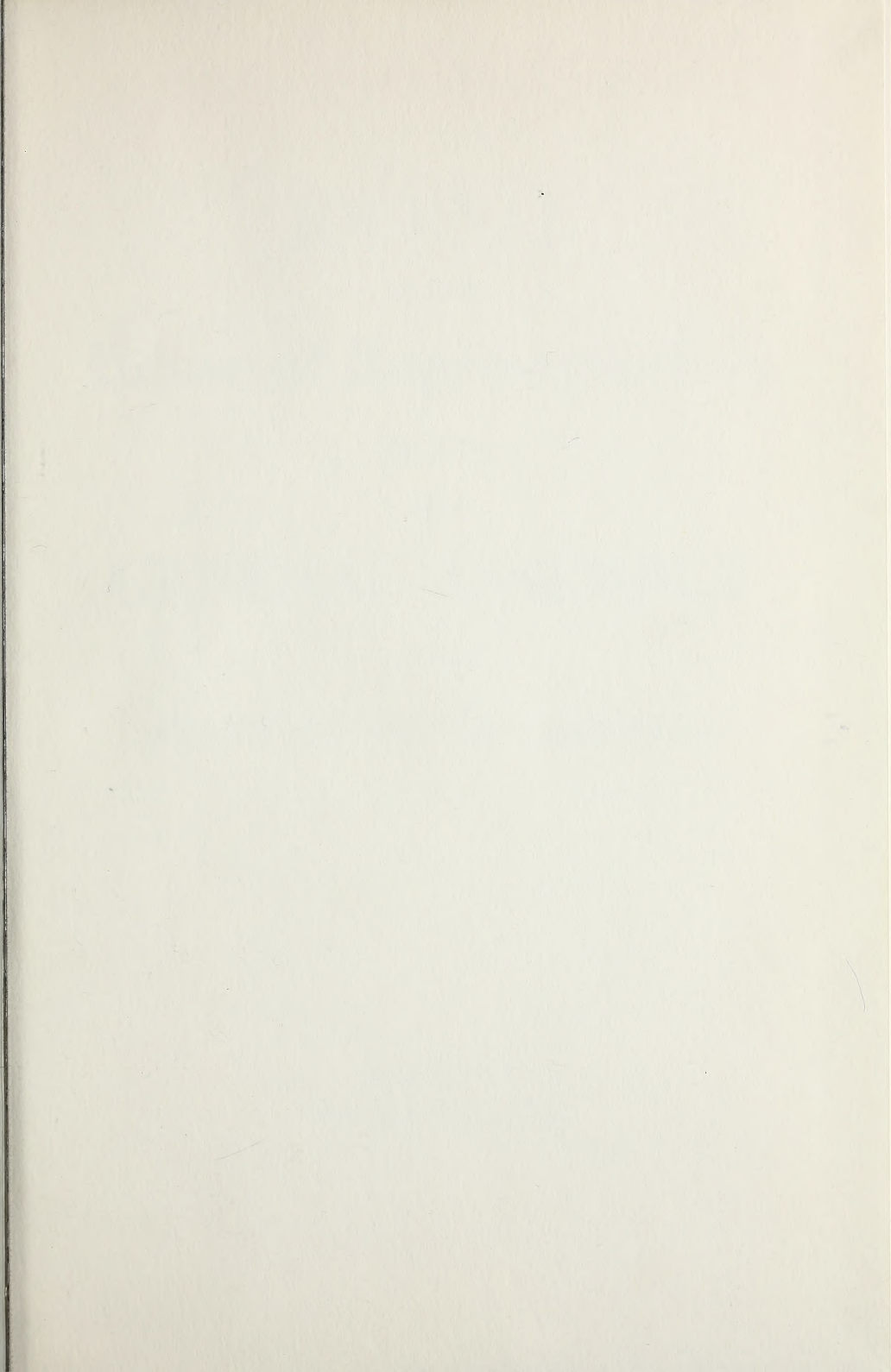
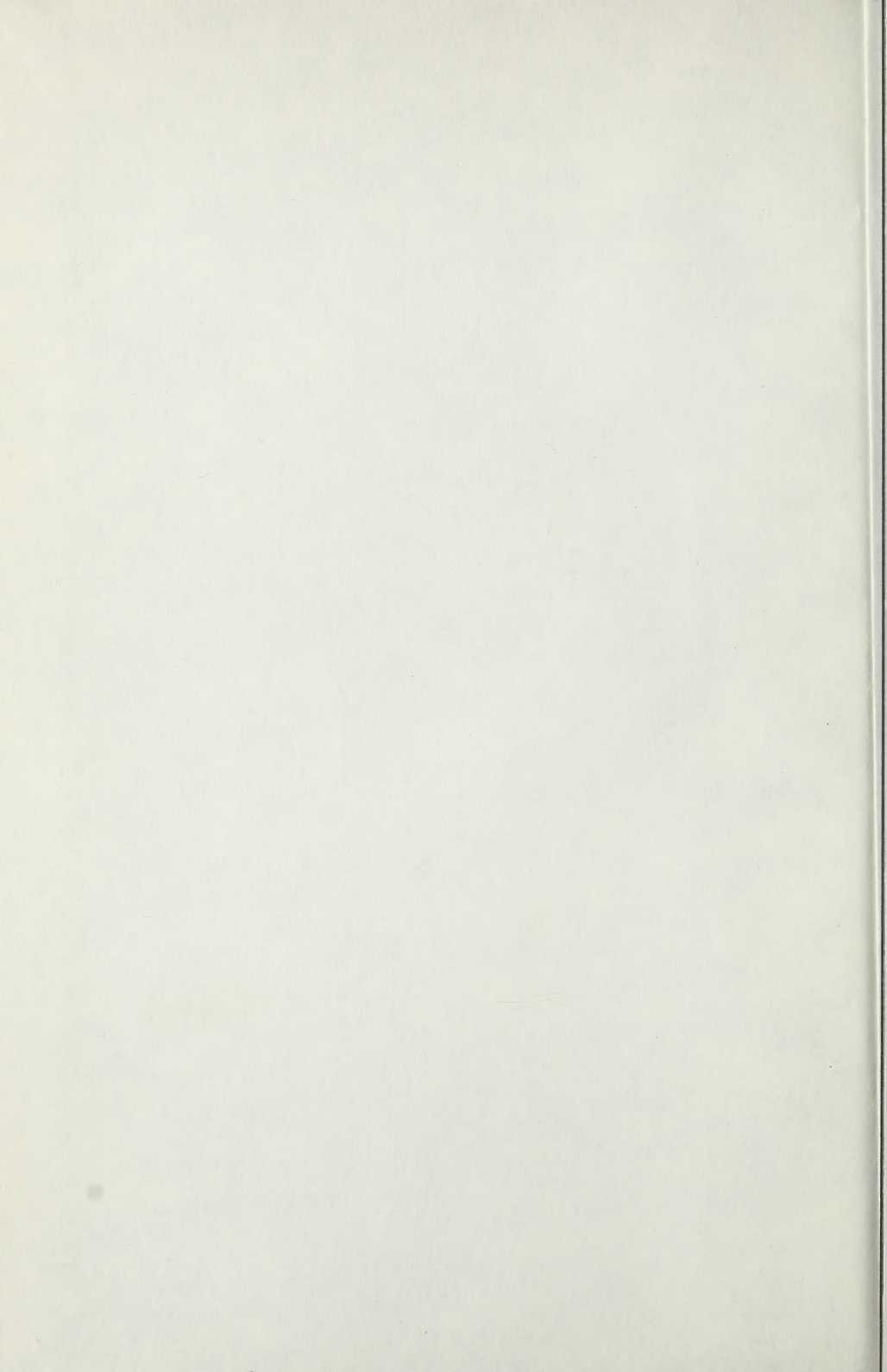


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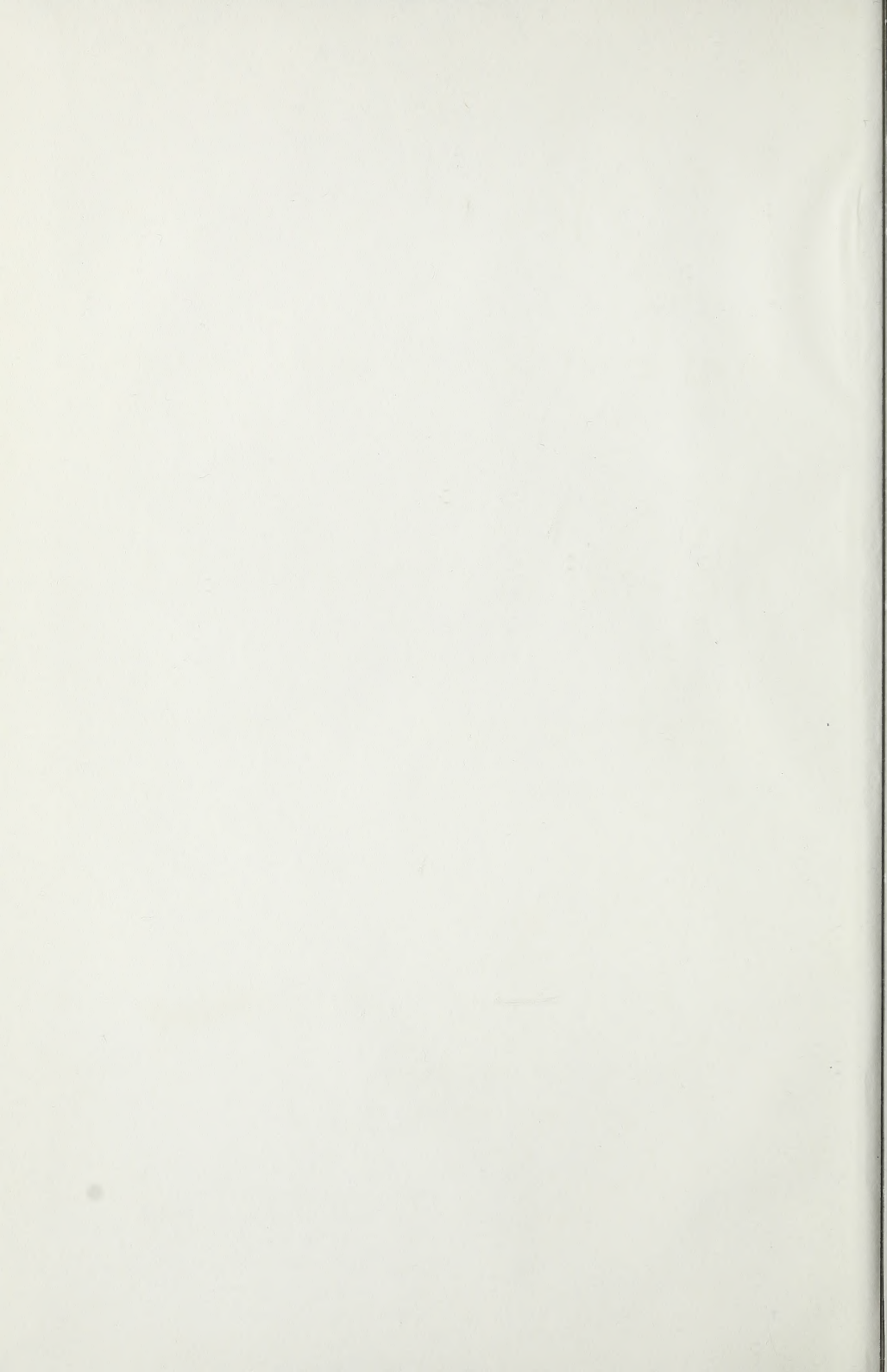
1976

GENERAL ASSEMBLY

OF THE

STATE OF NORTH CAROLINA

SECOND
SESSION 1976



JOURNAL
OF THE
House of Representatives

OF THE
1975
GENERAL ASSEMBLY

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SESSION 1976

JOURNAL
OF THE
House of Representatives
OF THE
1872

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OF THE
STATE OF NORTH CAROLINA

SECOND
Session 1872

OFFICERS AND MEMBERS OF THE House of Representatives

SECOND SESSION 1976

JAMES C. GREEN, *Speaker*.....Clarkton, Bladen County
C. KITCHIN JOSEY, *Speaker Pro Tempore*...Scotland Neck, Halifax County
GRACE A. COLLINS, *Principal Clerk*.....Fuquay-Varina, Wake County
SAM J. BURROW, JR., *Reading Clerk*.....Asheboro, Randolph County
C. GRAHAM TART, *Sergeant-at-Arms*.....Clinton, Sampson County

REPRESENTATIVES

HOUSE DISTRICT	NAME	ADDRESS
1st (2)	W. Stanford White (D).....	Manns Harbor
Camden	Dare County	
Chowan		
Currituck	Vernon G. James (D).....	Elizabeth City
Dare	Pasquotank County	
Pasquotank		
Perquimans		
Tyrrell		
Washington		
2nd (1)	Howard B. Chapin (D).....	Washington
Beaufort	Beaufort County	
Hyde		
3rd (3)	Chris S. Barker, Jr. (D).....	New Bern
Craven	Craven County	
Jones		
Lenoir	Joe L. Bright (D).....	Vanceboro
Pamlico	Craven County	
	Daniel T. Lilley (D).....	Kinston
	Lenoir County	
4th (3)	Ronald E. Mason (D).....	Beaufort
Carteret	Carteret County	
Onslow		
	Mrs. Wilda Hurst (D).....	Hubert
	Onslow County	
	Hugh C. Sandlin (D).....	Jacksonville
	Onslow County	

REPRESENTATIVES — Continued

HOUSE DISTRICT	NAME	ADDRESS
5th (2)	Roberts H. Jernigan, Jr. (D).....	Ahoskie
Bertie	Hertford County	
Gates		
Hertford	J. Guy Revelle, Sr. (D).....	Conway
Northampton	Northampton County	
6th (2)	C. Kitchin Josey (D).....	Scotland Neck
Halifax	Halifax County	
Martin		
	George P. Cullipher (D).....	Williamston
	Martin County	
7th (4)	Larry P. Eagles (D).....	Tarboro
Edgecombe	Edgecombe County	
Nash		
Wilson	Allen C. Barbee (D).....	Spring Hope
	Nash County	
	John Ed Davenport (D)	Nashville
	Nash County	
	A. Hartwell Campbell (D).....	Wilson
	Wilson County	
8th (2)	Sam D. Bundy (D).....	Farmville
Greene	Pitt County	
Pitt		
	H. Horton Rountree (D).....	Greenville
	Pitt County	
9th (2)	Henson P. Barnes (D).....	Goldsboro
Wayne	Wayne County	
	Mrs. John B. Chase (D).....	Eureka
	Wayne County	
10th (1)	T. J. Baker (D).....	Wallace
Duplin	Duplin County	
11th (1)	Allen C. Ward (D).....	Shallotte
Brunswick	Brunswick County	
Pender		

REPRESENTATIVES — Continued

HOUSE DISTRICT	NAME	ADDRESS
12th (2) New Hanover	B. D. Schwartz (D).....	Wilmington New Hanover County
	S. Thomas Rhodes (R).....	Wilmington New Hanover County
13th (3) Caswell Granville Person Vance Warren	William T. Watkins (D).....	Oxford Granville County
	T. W. Ellis, Jr. (D).....	Henderson Vance County
	Bobby W. Rogers (D).....	Henderson Vance County
14th (2) Franklin Johnston	J. M. Gardner (D).....	Smithfield Johnston County
	Barney Paul Woodard (D).....	Princeton Johnston County
15th (6) Wake	Allen Adams (D).....	Raleigh Wake County
	Ruth E. Cook (D).....	Raleigh Wake County
	William A. Creech (D).....	Raleigh Wake County
	Robert L. Farmer (D).....	Raleigh Wake County
	Joseph E. Johnson (D).....	Raleigh Wake County
	Wade Smith (D).....	Raleigh Wake County

REPRESENTATIVES — Continued

HOUSE DISTRICT	NAME	ADDRESS
16th (3) Durham	Mrs. Dillard Griffin (D).....Durham Durham County	
	H. M. Michaux, Jr. (D).....Durham Durham County	
	George M. Miller, Jr. (D).....Durham Durham County	
17th (2) Chatham Orange	Edward S. Holmes (D).....Pittsboro Chatham County	
	Patricia Stanford Hunt (D).....Chapel Hill Orange County	
18th (2) Harnett Lee	Carson Gregory (D).....Angier Harnett County	
	Jimmy L. Love (D).....Sanford Lee County	
19th (3) Bladen Columbus Sampson	James C. Green (D).....Clarkton Bladen County	
	R. C. Soles, Jr. (D).....Tabor City Columbus County	
	Richard Wright (D).....Tabor City Columbus County	
20th (5) Cumberland	R. D. Beard (D).....Fayetteville Cumberland County	
	George W. Breece (D).....Fayetteville Cumberland County	
	Charles Holt (D).....Fayetteville Cumberland County	
	Hector Ray (D).....Fayetteville Cumberland County	
	Lura Tally (D).....Fayetteville Cumberland County	

REPRESENTATIVES — Continued

HOUSE DISTRICT	NAME	ADDRESS
21st (3)	Joy J. Johnson (D).....	Fairmont
Hoke	Robeson County	
Robeson	Henry Ward Oxendine (D).....	Pembroke
Scotland	Robeson County	
	David R. Parnell (D).....	Parkton
	Robeson County	
22nd (4)	John M. Jordan (D).....	Saxapahaw
Alamance	Alamance County	
Rockingham	W. S. Harris, Jr. (D).....	Graham
	Alamance County	
	Bertha M. Holt (D).....	Burlington
	Alamance County	
	Conrad R. Duncan (D).....	Stoneville
	Rockingham County	
23rd (7)	Henry E. Frye (D).....	Greensboro
Guilford	Guilford County	
	Thomas O. Gilmore (D).....	Greensboro
	Guilford County	
	Leo Heer (D).....	High Point
	Guilford County	
	C. W. Phillips (D).....	Greensboro
	Guilford County	
	Thomas B. Sawyer (D).....	Greensboro
	Guilford County	
	W. M. Short (D).....	Greensboro
	Guilford County	
	Charlie Webb (D).....	Greensboro
	Guilford County	

REPRESENTATIVES — Continued

HOUSE DISTRICT	NAME	ADDRESS
24th (2) Randolph	J. T. Pugh (D).....	Asheboro Randolph County
	Gilbert R. Davis (D).....	Randleman Randolph County
25th (1) Moore	T. Clyde Auman (D).....	West End Moore County
26th (1) Anson Montgomery	Foyle Hightower, Jr. (D).....	Wadesboro Anson County
27th (1) Richmond	Thomas B. Hunter (D).....	Rockingham Richmond County
28th (3) Alleghany Ashe Stokes Surry Watauga	P. C. Collins, Jr. (D).....	Laurel Springs Alleghany County
	J. Worth Gentry (D).....	King Stokes County
	David H. Diamont (D).....	Pilot Mountain Surry County
29th (5) Forsyth	Margaret Tennille (D).....	Winston-Salem Forsyth County
	Richard C. Erwin (D).....	Winston-Salem Forsyth County
	Ned R. Smith (D).....	Winston-Salem Forsyth County
	Judson D. DeRamus, Jr. (D).....	Winston-Salem Forsyth County
	Fred S. Hutchins, Jr. (R).....	Winston-Salem Forsyth County

REPRESENTATIVES — Continued

HOUSE DISTRICT	NAME	ADDRESS
30th (3) Davidson Davie	Larry E. Leonard (D).....	Thomasville Davidson County
	Dr. John Varner (D).....	Lexington Davidson County
	Peter W. Hairston (D).....	Advance Davie County
31st (2) Rowan	Robie L. Nash (D).....	Salisbury Rowan County
	A. Neal Smith (D).....	Woodleaf Rowan County
32nd (1) Stanly	Janet Pickler (D).....	New London Stanly County
33rd (3) Cabarrus Union	Dwight W. Quinn (D).....	Kannapolis Cabarrus County
	Betty D. Thomas (D).....	Concord Cabarrus County
	Aaron W. Plyler (D).....	Monroe Union County
34th (3) Caldwell Wilkes Yadkin	James H. Edwards (D).....	Granite Falls Caldwell County
	George M. Holmes (R).....	Hamptonville Yadkin County
	Ralph Prestwood (D).....	Lenoir Caldwell County
35th (2) Alexander Iredell	J. P. Huskins (D).....	Statesville Iredell County
	William H. McMillan (D).....	Statesville Iredell County

REPRESENTATIVES — Continued

HOUSE DISTRICT	NAME	ADDRESS
36th (8) Mecklenburg	Marilyn R. Bissell (R).....	Charlotte Mecklenburg County
	Jo Graham Foster (D).....	Charlotte Mecklenburg County
	Laurence A. Cobb (R).....	Charlotte Mecklenburg County
	H. Parks Helms (D).....	Charlotte Mecklenburg County
	Craig Lawing (D).....	Charlotte Mecklenburg County
	Charlotte	Carolyn Mathis (R)..... Mecklenburg County
	Ben Tison (D).....	Charlotte Mecklenburg County
	Roy Spoon (R).....	Charlotte Mecklenburg County
37th (2) Catawba	T. Cass Ballenger (R).....	Hickory Catawba County
	Frances E. Setzer (D).....	Newton Catawba County
38th (4) Gaston Lincoln	Carl J. Stewart, Jr. (D).....	Gastonia Gaston County
	E. Graham Bell (D).....	Gastonia Gaston County
	David W. Bumgardner, Jr. (D)....	Belmont Gaston County
	John R. Gamble, Jr. (D).....	Lincolnton Lincoln County

REPRESENTATIVES — Continued

HOUSE DISTRICT	NAME	ADDRESS
39th (2)	Myrtle E. Wiseman (D).....	Spruce Pine
Avery	Avery County	
Burke		
Mitchell	W. H. Lachot, Jr. (D).....	Morganton
	Burke County	
40th (3)	Robert Z. Falls (D).....	Shelby
Cleveland	Cleveland County	
Polk		
Rutherford	Edith Lutz (D).....	Lawndale
	Cleveland County	
	Robert A. Jones (D).....	Forest City
	Rutherford County	
41th (1)	Glenn A. Morris (D).....	Marion
McDowell	McDowell County	
Yancey		
42nd (1)	Fred R. Dorsey (R).....	Flat Rock
Henderson	Henderson County	
43rd (4)	Mary C. Nesbitt (D).....	Asheville
Buncombe	Buncombe County	
Transylvania	Herbert L. Hyde (D).....	Asheville
	Buncombe County	
	Claude DeBruhl (D).....	Candler
	Buncombe County	
	John S. Stevens (D).....	Asheville
	Buncombe County	
44th (2)	Ernest B. Messer (D).....	Canton
Haywood	Haywood County	
Jackson		
Madison	Liston B. Ramsey (D).....	Marshall
Swain	Madison County	

REPRESENTATIVES — Continued

HOUSE DISTRICT	NAME	ADDRESS
45th (1)	Jeff H. Enloe, Jr. (D).....	Franklin
Cherokee	Macon County	
Clay		
Graham		
Macon		

HOUSE JOURNAL

SECOND SESSION 1976

ONE HUNDRED EIGHTEENTH DAY

HOUSE OF REPRESENTATIVES
Monday, May 3, 1976

In accordance with the adjournment motion of June 26, 1975, the House is called to order by the Speaker at 12:00 noon on Monday, May 3, 1976.

Prayer is offered by Dr. Albert G. Edwards, House Chaplain.

A leave of absence is granted Representative Hunt for May 3-5.

The Speaker announces that Representative John J. Hunt of the 40th House District resigned on April 14, 1976. Mrs. Edith Lutz was appointed on May 3, 1976, by the Governor to fill his unexpired term. The following oath of office is administered to Mrs. Lutz by The Honorable Thad Eure, Secretary of State.

"I, Edith Lutz, do solemnly swear that I will support and maintain the Constitution and the laws of the United States.

"I, Edith Lutz, do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof, and that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability.

"I, Edith Lutz, do solemnly swear that I will faithfully discharge my duties as a member of the House of Representatives of the 1975 General Assembly of the State of North Carolina to the best of my skill and ability, according to law, so help me, God."

The courtesies of the floor are extended to the family of Mrs. Lutz.

It is announced by the Speaker that Representatives David M. Blackwell and James E. Long, of the 22nd House District, resigned as members of the House of Representatives on July 31, 1975. Appointed by the Governor on August 18, 1975, to fill these vacancies were Conrad Riley Duncan and Bertha Merrill Holt, respectively. Oath of office was administered to Mr. Duncan on August 28, 1975, and to Mrs. Holt on August 29, 1975. The Speaker orders that these oaths be entered into today's Journal.

"I, Conrad Riley Duncan, do solemnly swear that I will support and maintain the Constitution and the laws of the United States.

"I, Conrad Riley Duncan, do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof, and that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability.

"I, Conrad Riley Duncan, do solemnly swear that I will faithfully discharge my duties as a member of the House of Representatives of the 1975 General Assembly of the State of North Carolina to the best of my skill and ability, according to law, so help me, God."

"I, Bertha Merrill Holt, do solemnly swear that I will support and maintain the constitution and the laws of the United States.

"I Bertha Merrill Holt, do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof, and that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability.

"I, Bertha Merrill Holt, do solemnly swear that I will faithfully discharge my duties as a member of the House of Representatives of the 1975 General Assembly of the State of North Carolina to the best of my skill and ability, according to law, so help me, God."

The Speaker announces that due to the untimely death of Representative Art W. Thomas, of the 33rd House District, his wife, Mrs. Betty Dorton Thomas was appointed by the Governor on October 21, 1975, to fill his unexpired term. Mrs. Thomas took her oath of office on October 29, 1975, and the Speaker orders that this oath be entered into today's Journal.

"I, Betty Dorton Thomas, do solemnly swear that I will support the Constitution and laws of the United States; and,

"I, Betty Dorton Thomas, do solemnly swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof; and that I will endeavor to support, maintain, and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and,

"I, Betty Dorton Thomas, do solemnly swear that I will faithfully discharge my duties as a member of the House of Representatives of the General Assembly of the State of North Carolina, to the best of my skill and ability, so help me, God."

Due to the resignation of Representative Richard Lane Brown III, of the 32nd House District, on January 26, 1976, the Governor appointed Mrs. Janet W. Pickler to fill his vacancy on February 25, 1976. Oath of office was administered to Mrs. Pickler on March 12, 1976, and the Speaker orders that her oath be entered into today's Journal.

"I, Janet W. Pickler, do solemnly swear that I will support and maintain the Constitution and the laws of the United States.

"I, Janet W. Pickler, do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof, and that I will endeavor to support, maintain and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability.

"I, Janet W. Pickler, do solemnly swear that I will faithfully discharge my duties as a member of the House of Representatives of the 1975 General Assembly of the State of North Carolina to the best of my skill and ability, according to law, so help me, God."

Representatives Duncan, Holt, Thomas, and Pickler are recognized by the Speaker.

COMMITTEE APPOINTMENTS

The Speaker appoints Representative Holt to the following committees: State Personnel, Employment Security, Finance, Judiciary No. 2, Local Government No. 1, Public Utilities.

The Speaker appoints Representative Duncan to the following committees: Highway Safety, Judiciary No. 3, Professional Law Enforcement Personnel and Practice, Appropriations, Courts and Judicial Districts, Mental Health, University Board of Governor's Nominating Committee.

The Speaker appoints Representative Thomas to the following committees: State Properties, Appropriations, Insurance, Local Government No. 1, State Personnel, Transportation.

The Speaker appoints Representative Pickler to the following committees: Courts and Judicial Districts, Judiciary No. 1, Commissions and Institutions for Blind and Deaf, Election Laws, Finance, State Government.

The Speaker appoints Representative Lutz to the following committees: Commissions and Institutions for Blind and Deaf, Manufacturers and Labor, Public Libraries, Base Budget, Highway Safety, Military and Veterans' Affairs, Wildlife.

The following new appointments are made by the Speaker:

Representative Phillips is appointed Chairman of State Properties Committee.

Representative Ward is appointed Vice Chairman of State Properties Committee.

Representative Ellis is appointed Vice Chairman of Professional Law Enforcement Personnel and Practice.

Representative Rountree is appointed Vice Chairman of Courts and Judicial Districts Committee.

Representative Revelle is appointed Vice Chairman of Judiciary No. 1 Committee.

Representative Short is appointed Vice Chairman of Judiciary No. 3 Committee.

Representative Edwards is appointed Vice Chairman of Highway Safety Committee.

Representative Woodard is appointed Vice Chairman of State Personnel Committee.

The roll is called to establish a quorum and the following members answer when their names are called: Representatives Adams, Auman, Baker, Ballenger, Barbee, Barker, Barnes, Beard, Bell, Bissell, Breece, Bright, Bumgardner, Bundy, Campbell, Chapin, Chase, Cobb, Collins, Cook, Creech, Cullipher, Davenport, Davis, DeBruhl, DeRamus, Diamont, Dorsey, Duncan, Eagles, Edwards, Ellis, Enloe, Erwin, Falls, Farmer, Foster, Frye, Gamble, Gardner, Gentry, Gilmore, Gregory, Griffin, Hairston, Harris, Heer, Helms, Hightower, Edward Holmes, George Holmes, Bertha Holt, Charles Holt, Hunter, Hurst, Huskins, Hutchins, Hyde, James, Jernigan, Joseph Johnson, Joy Johnson, Jordan, Josey, Lachot, Lawing, Leonard, Lilley, Love, Lutz, McMillan, Mason, Mathis, Messer, Michaux, Miller, Morris, Nash, Nesbitt, Oxendine, Parnell, Phillips, Pickler, Plyler, Prestwood, Pugh, Quinn, Ramsey, Ray, Revelle, Rhodes, Rogers, Rountree, Sandlin, Sawyer, Schwartz, Setzer, Short, Neal Smith, Ned Smith, Wade Smith, Soles, Spoon, Stevens, Stewart, Tally, Tennille, Thomas, Tison, Varner, Ward, Watkins, Webb, White, Wiseman, Woodard and Wright — 117.

A quorum having been established, the House proceeds with its business.

Representative Stevens, for the Committee on Rules and Operation of the House reports the Journal of Thursday, June 26, 1975, has been examined and found correct. Upon his motion, the Journal is approved as written.

Representative Stevens explains that the House adjourned in 1975 pursuant to H. J. R. 1283 which governs the procedure to be followed this legislative session: "Sec. 2 That when the Senate and House reconvene pursuant to Section 1 of this resolution, they shall consider only bills and resolutions directly affecting the budget for the fiscal year 1976-1977; provided, that after ratification of a joint resolution passed by a two-thirds majority in each body, the Senate and House may also consider any matters authorized by that resolution."

According to House Rule 32(a), bills and resolutions are filed in the Principal Clerk's Office on the legislative day prior to first reading and reference to committee.

During this legislative session bills pertaining to subjects other than budget must be preceded by enabling legislation. Enabling resolutions will follow the filing procedure; however, the principal bills may be filed with

the Principal Clerk but will remain there until their enabling resolutions are ratified.

BILLS FILED WITH PRINCIPAL CLERK

The following bills and resolutions are filed in the Office of the Principal Clerk:

By Representatives Quinn, Erwin, and Plyler:

H. J. R. 1285, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ARTHUR WEBSTER THOMAS, JR., A FORMER MEMBER OF THE GENERAL ASSEMBLY.

By Representatives Quinn and Plyler:

H. J. R. 1286, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ARTHUR WEBSTER THOMAS, JR., A FORMER MEMBER OF THE GENERAL ASSEMBLY FROM CABARRUS COUNTY.

By Representative Hyde:

H. J. R. 1287, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL ALLOWING FIRE PROTECTION TAX LEVIES TO BE APPROPRIATED IN ORDER TO SUPPLY RESCUE AND AMBULANCE SERVICES.

By Representative Hyde:

H. B. 1288, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE APPROPRIATION OF FUNDS RAISED FROM TAXES LEVIED IN RURAL FIRE PROTECTION DISTRICTS TO BE APPLIED IN PROVIDING RESCUE AND AMBULANCE SERVICES WITHIN SAID DISTRICTS, AND TO VALIDATE ANY SUCH FUNDS PREVIOUSLY SO APPROPRIATED.

By Representatives Messer, Auman, Baker, Ballenger, Barbee, Barker, Beard, Bell, Bissell, Breece, Bumgardner, Campbell, Chapin, Chase, Collins, Creech, Cullipher, Davis, DeBruhl, Duncan, Edwards, Foster, Gamble, Gardner, Gentry, Gregory, Heer, Edward Holmes, George Holmes, Charles Holt, Hunter, Hurst, Huskins, James, Jernigan, Joy Johnson, Jones, Josey, Lilley, Mason, Morris, Nash, Nesbitt, Pickler, Prestwood, Quinn, Ramsey, Ray, Revelle, Sandlin, Sawyer, Schwartz, Wade Smith, Soles, Spoon, Stewart, Tally, Tennille, Thomas, Tison, Varner, Watkins, Wiseman, Woodard, and Wright:

H. J. R. 1289, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER THE RECOMMENDATIONS OF THE NORTH CAROLINA PROFESSIONAL LIABILITY INSURANCE STUDY COMMISSION AND BILLS ON THAT SUBJECT.

On motion of Representative Stevens the rules are suspended in order that H. J. R. 1285, H. J. R. 1287, and H. J. R. 1289, filed with the Principal Clerk on Friday, April 30, 1976, a non-legislative day, may be referred to committee today.

FIRST READING AND REFERENCE TO COMMITTEE

The following bills and resolutions are read the first time and referred to committee:

By Representatives Quinn, Erwin, and Plyler:

H. J. R. 1285, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ARTHUR WEBSTER THOMAS, JR., A FORMER MEMBER OF THE GENERAL ASSEMBLY, is referred to the Committee on Rules and Operation of the House.

By Representative Hyde:

H. J. R. 1287, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL ALLOWING FIRE PROTECTION TAX LEVIES TO BE APPROPRIATED IN ORDER TO SUPPLY RESCUE AND AMBULANCE SERVICES, is referred to the Committee on Rules and Operation of the House.

By Representatives Messer, Auman, Baker, Ballenger, Barbee, Barker, Beard, Bell, Bissell, Breece, Bumgardner, Campbell, Chapin, Chase, Collins, Creech, Cullipher, Davis, DeBruhl, Duncan, Edwards, Foster, Gamble, Gardner, Gentry, Gregory, Heer, Edward Holmes, George Holmes, Charles Holt, Hunter, Hurst, Huskins, James, Jernigan, Joy Johnson, Jones, Josey, Lilley, Mason, Morris, Nash, Nesbitt, Pickler, Prestwood, Quinn, Ramsey, Ray, Revelle, Sandlin, Sawyer, Schwartz, Wade Smith, Soles, Spoon, Stewart, Tally, Tennille, Thomas, Tison, Varner, Watkins, Wiseman, Woodard, and Wright:

H. J. R. 1289, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER THE RECOMMENDATIONS OF THE NORTH CAROLINA PROFESSIONAL LIABILITY INSURANCE STUDY COMMISSION AND BILLS ON THAT SUBJECT, is referred to the Committee on Rules and Operation of the House.

READING OF PAPERS ADDRESSED TO THE HOUSE

The Speaker calls for the reading of the following letter.

June 27, 1975

The Honorable James C. Green
Speaker of the House of Representatives
North Carolina General Assembly
The Legislative Bldg.
Raleigh, North Carolina

Dear Mr. Speaker:

For five consecutive terms I have been honored in being elected Sergeant-at-Arms of the House of Representatives. My association and experience with officers and members of each session has been most pleasant and rewarding.

I have decided and now elect to retire from public life, and in doing so, I tender my resignation as Sergeant-at-Arms of the 1975 House of Representatives, to be effective immediately.

This action is taken now for the benefit of all persons who may be interested in seeking the position.

I appreciate all the courtesies you have shown me.

Sincerely,

S/ ARCHIE T. LANE, SR.

The Speaker and members of the House accept with regret the resignation of the Sergeant-at-Arms.

The Speaker announces that nominations are in order for Sergeant-at-Arms.

Representative Soles places the name of Mr. C. Graham Tart, a former member of the House of Representatives, in nomination for Sergeant-at-Arms. This nomination is seconded by Representative Josey.

Representative Josey moves that the nominations be closed and that Mr. Tart be elected by acclamation.

The Speaker declares the election of Mr. Tart to be unanimous.

The Honorable Thad Eure administers the following oath of office to the Sergeant-at-Arms:

"I, C. GRAHAM TART, do solemnly swear that I will support and maintain the Constitution and laws of the United States; and,

"I do solemnly and sincerely swear that I will be faithful and bear true allegiance to the State of North Carolina, and to the constitutional powers and authorities which are or may be established for the government thereof,

and that I will endeavor to support, maintain, and defend the Constitution and laws of said State, not inconsistent with the Constitution of the United States, to the best of my knowledge and ability; and,

"I do solemnly swear that I will faithfully discharge my duties as Sergeant-at-Arms of the 1975 House of Representatives of the General Assembly of the State of North Carolina to the best of my skill and ability; so help me, God."

On motion of Representative Stevens, seconded by Representative Lutz, the House adjourns to reconvene May 4, 1976 at 9:00 a.m.

ONE HUNDRED NINETEENTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 4, 1976

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Dr. Albert G. Edwards, House Chaplain.

Representative Stevens, for the Committee on Rules and Operation of the House, reports the Journal of May 3 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Joy Johnson for May 4 and 5.

The Speaker appoints Representative Neal Smith as Vice Chairman of the Committee on Public Libraries.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Stevens for the Committee on Rules and Operation of the House:

H. J. R. 1289, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER THE RECOMMENDATIONS OF THE NORTH CAROLINA PROFESSIONAL LIABILITY INSURANCE STUDY COMMISSION AND BILLS ON THAT SUBJECT, with a favorable report.

On motion of Representative Stevens and on two-thirds majority vote of the membership, the rules are suspended and the resolution is placed on today's Calendar.

BILLS FILED WITH PRINCIPAL CLERK

The following bills and resolutions are filed in the Office of the Principal Clerk:

By Representative Love:

H. B. 1290, A BILL TO BE ENTITLED AN ACT TO MODIFY CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS FOR NORTH CAROLINA STATE GOVERNMENT FOR THE FISCAL YEAR 1976-77, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE.

By Representatives Ramsey, and Neal Smith:

H. B. 1291, A BILL TO BE ENTITLED AN ACT TO CHANGE THE QUARTERLY SYSTEM OF REMITTING STATE PERSONAL INCOME TAX WITHHELD BY EMPLOYERS TO A MONTHLY SYSTEM FOR LARGE EMPLOYERS AND TO PROVIDE FOR UNIFORM MONTHLY FILING DATES.

By Representative Messer:

H. B. 1292, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO SECURE LIABILITY INSURANCE OR TO ACT AS A SELF-INSURER FOR HEALTH-CARE PROVIDERS.

By Representatives Messer, DeRamus, and Dorsey:

H. B. 1293, A BILL TO BE ENTITLED AN ACT TO REVISE AND PROVIDE FOR PROCEDURAL AND SUBSTANTIVE LAWS GOVERNING CLAIMS FOR PROFESSIONAL MALPRACTICE: TO REVISE THE STATUTE OF LIMITATIONS FOR ADULTS AND MINORS; TO PROVIDE FOR A STANDARD OF CARE, A DOCTRINE OF INFORMED CONSENT, AN EXTENSION OF THE GOOD SAMARITAN LAW, AND THE ELIMINATION OF THE AD DAMNUM CLAUSE.

By Representatives Lawing, Foster, Helms and Tison:

H. J. R. 1294, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER A BILL PROHIBITING RAFFLES AND BINGO IN MECKLENBURG COUNTY.

FIRST READING AND REFERENCE TO COMMITTEE

The following bills and resolutions are read the first time and referred to committee:

By Representative Love:

H. B. 1290, A BILL TO BE ENTITLED AN ACT TO MODIFY CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS

FOR NORTH CAROLINA STATE GOVERNMENT FOR THE FISCAL YEAR 1976-77, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, is referred to the Committee on Appropriations.

By Representatives Ramsey, and Neal Smith:

H. B. 1291, A BILL TO BE ENTITLED AN ACT TO CHANGE THE QUARTERLY SYSTEM OF REMITTING STATE PERSONAL INCOME TAX WITHHELD BY EMPLOYERS TO A MONTHLY SYSTEM FOR LARGE EMPLOYERS AND TO PROVIDE FOR UNIFORM MONTHLY FILING DATES, is referred to the Committee on Finance.

By Representatives Lawing, Foster, Helms, and Tison:

H. J. R. 1294, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER A BILL PROHIBITING RAFFLES AND BINGO IN MECKLENBURG COUNTY, is referred to the Committee on Rules and Operation of the House.

CALENDAR

Action is taken on the following:

H. J. R. 1289, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER THE RECOMMENDATIONS OF THE NORTH CAROLINA PROFESSIONAL LIABILITY INSURANCE STUDY COMMISSION AND BILLS ON THAT SUBJECT.

Representative Erwin offers an amendment.

Representative Harris calls for the "ayes" and "noes", and the call is sustained.

Representative Erwin calls the previous question. The call is sustained.

The amendment fails to pass by the following vote:

Those voting in the affirmative are: Representatives Adams, Ballenger, Bissell, Breece, Campbell, Chapin, Cobb, Cook, Creech, Davenport, DeRamus, Diamont, Duncan, Eagles, Edwards, Ellis, Erwin, Farmer, Frye, Gilmore, Hairston, Harris, Helms, Hightower, Edward Holmes, George Holmes, Bertha Holt, Hutchins, Hyde, Joseph Johnson, Lachot, Lawing, Leonard, McMillan, Mathis, Michaux, Miller, Phillips, Pickler, Prestwood, Pugh, Rogers, Short, Neal Smith, Ned Smith, Wade Smith, Spoon, Stevens, Stewart, Tally, Tison, Ward, Webb, and Wright — 54.

Voting in the negative: Representatives Auman, Baker, Barker, Barnes, Beard, Bell, Bright, Bumgardner, Bundy, Chase, Collins, Cullipher, Davis, DeBruhl, Dorsey, Enloe, Falls, Foster, Gamble, Gardner, Gentry, Gregory, Heer, Charles Holt, Hunter, Hurst, Huskins, James, Jernigan, Jones, Jordan, Josey, Lilley, Love, Lutz, Mason, Messer, Morris, Nash, Nesbitt, Parnell,

Plyler, Quinn, Ramsey, Ray, Revelle, Rhodes, Sandlin, Schwartz, Setzer, Tennille, Thomas, Varner, Watkins, White, Wiseman, and Woodard — 57.

To establish a two-thirds majority, the roll is called on second reading. The resolution passes its second reading by the following vote.

Those voting in the affirmative are: Representatives Auman, Baker, Ballenger, Barker, Barnes, Beard, Bell, Bissell, Breece, Bright, Bumgardner, Bundy, Campbell, Chapin, Chase, Cobb, Collins, Cook, Creech, Cullipher, Davenport, Davis, DeBruhl, Diamont, Dorsey, Duncan, Eagles, Edwards, Ellis, Enloe, Falls, Farmer, Foster, Frye, Gamble, Gardner, Gentry, Gilmore, Green, Gregory, Hairston, Harris, Heer, Helms, Hightower, Edward Holmes, George Holmes, Bertha Holt, Charles Holt, Hunter, Hurst, Huskins, Hutchins, Hyde, James, Jernigan, Joseph Johnson, Jones, Jordan, Josey, Lachot, Lawing, Lilley, Love, Lutz, Mason, Mathis, Messer, Michaux, Miller, Morris, Nash, Nesbitt, Parnell, Phillips, Pickler, Plyler, Pugh, Quinn, Ramsey, Ray, Revelle, Rhodes, Rogers, Sandlin, Schwartz, Setzer, Short, Neal Smith, Ned Smith, Wade Smith, Soles, Spoon, Stevens, Stewart, Tally, Tennille, Thomas, Tison, Varner, Ward, Watkins, Webb, White, Wiseman, Woodard, and Wright — 107.

Voting in the negative: Representatives Adams, DeRamus, Erwin, Leonard, McMillan, and Prestwood — 6.

Representative Rogers objects to the third reading. The resolution remains on the Calendar.

Representative Messer moves to suspend the rules to the end that the bill may be read a third time.

To establish a two-thirds majority, the roll is called. The motion to suspend the rules carries by the following vote.

Those voting in the affirmative are: Representatives Auman, Baker, Barker, Barnes, Beard, Bell, Breece, Bright, Bumgardner, Bundy, Campbell, Chapin, Chase, Collins, Creech, Cullipher, Davenport, Davis, DeBruhl, Duncan, Eagles, Edwards, Ellis, Enloe, Falls, Farmer, Foster, Frye, Gamble, Gardner, Gentry, Gregory, Hairston, Harris, Heer, Helms, Edward Holmes, Bertha Holt, Charles Holt, Hunter, Hurst, Huskins, Hyde, James, Jernigan, Joseph Johnson, Jones, Jordan, Josey, Lachot, Lawing, Lilley, Lutz, Mason, Mathis, Messer, Morris, Nash, Nesbitt, Oxendine, Parnell, Phillips, Pickler, Plyler, Pugh, Quinn, Ramsey, Ray, Revelle, Rhodes, Rountree, Sandlin, Schwartz, Setzer, Ned Smith, Wade Smith, Soles, Spoon, Stevens, Stewart, Tally, Tennille, Thomas, Tison, Varner, Ward, Watkins, White, Wiseman, Woodard, and Wright — 91.

Voting in the negative: Representatives Adams, Ballenger, Bissell, Cobb, Cook, DeRamus, Diamont, Dorsey, Erwin, Gilmore, Hightower, George Holmes, Hutchins, Leonard, McMillan, Michaux, Miller, Prestwood, Rogers, Short, Neal Smith, and Webb — 22.

Representative Erwin offers an amendment.

Representative Erwin calls the previous question. The call is sustained.

Representative Messer calls for the "ayes" and "noes", and the call is sustained.

The amendment fails by the following vote:

Those voting in the affirmative are: Representatives Adams, Ballenger, Bissell, Breece, Campbell, Cobb, Cook, Davenport, DeRamus, Diamont, Eagles, Edwards, Ellis, Erwin, Farmer, Frye, Gilmore, Hairston, Harris, Hightower, Edward Holmes, George Holmes, Bertha Holt, Hutchins, Hyde, Joseph Johnson, Lachot, Lawing, Leonard, McMillan, Mathis, Michaux, Miller, Oxendine, Parnell, Pickler, Prestwood, Pugh, Rogers, Short, Neal Smith, Ned Smith, Wade Smith, Spoon, Stevens, Stewart, Tally, Tison, Ward, Webb, and Wright — 51.

Voting in the negative: Representatives Auman, Baker, Barbee, Barker, Barnes, Beard, Bell, Bright, Bumgardner, Bundy, Chapin, Chase, Collins, Creech, Cullipher, Davis, DeBruhl, Dorsey, Duncan, Enloe, Falls, Foster, Gamble, Gardner, Gentry, Gregory, Heer, Helms, Charles Holt, Hunter, Hurst, Huskins, James, Jernigan, Jones, Jordan, Josey, Lilley, Love, Lutz, Mason, Messer, Morris, Nash, Nesbitt, Phillips, Plyler, Quinn, Ramsey, Ray, Revelle, Rhodes, Rountree, Sandlin, Sawyer, Schwartz, Setzer, Soles, Tennille, Thomas, Varner, Watkins, White, Wiseman, and Woodard — 65.

Representative Frye offers an amendment which fails.

Representative Messer calls the previous question on the bill and the call is sustained.

The resolution passes its third reading by voice vote and the Speaker declares a two-thirds majority. The bill is ordered sent to the Senate by Special Messenger.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. J. R. 955, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER NOMINATIONS BY THE GOVERNOR TO FILL VACANCIES ON THE NORTH CAROLINA UTILITIES COMMISSION, is read the first time and is referred to the Committee on Rules and Operation of the House.

On motion of Representative Miller, rule 32(a) is suspended in order that a resolution may be introduced. This motion carries by a two-thirds majority.

By Representative Miller:

H. J. R. 1295, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER NOMINATIONS BY THE GOVERNOR TO FILL VACANCIES ON THE NORTH CAROLINA UTILITIES COMMISSION, is referred to the Committee on Rules and Operation of the House.

On motion of Representative Stevens the House recesses until 4:30 P.M.

RECESS

Pursuant to recess, the House is called to order by the Speaker.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. J. R. 1289, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER THE RECOMMENDATIONS OF THE NORTH CAROLINA PROFESSIONAL LIABILITY INSURANCE STUDY COMMISSION AND BILLS ON THAT SUBJECT.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Stevens for the Committee on Rules and Operation of the House:

H. J. R. 1295, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER NOMINATIONS BY THE GOVERNOR TO FILL VACANCIES ON THE NORTH CAROLINA UTILITIES COMMISSION, with a favorable report.

On motion of Representative Stevens, the rules are suspended by a two-thirds majority and the resolution is placed on today's Calendar.

S. J. R. 955, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER NOMINATIONS BY THE GOVERNOR TO FILL VACANCIES ON THE NORTH CAROLINA UTILITIES COMMISSION, with a favorable report.

On motion of Representative Stevens, the rules are suspended by a two-thirds majority and the resolution is placed on today's Calendar.

H. J. R. 1289, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER THE RECOMMENDATIONS OF THE NORTH CAROLINA PROFESSIONAL LIABILITY INSURANCE STUDY COMMISSION AND BILLS ON THAT SUBJECT, having been ratified, the rules are suspended by a two-thirds majority and the following bills are read the first time and referred to committee.

By Representatives Messer, Bell, DeRamus, Dorsey, Gamble, and Schwartz:

H. B. 1292, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA

TO SECURE LIABILITY INSURANCE OR TO ACT AS A SELF-INSURER FOR HEALTH-CARE PROVIDERS, is referred to the Committee on Insurance.

By Representatives Messer, Bell, Chase, DeRamus, Dorsey, Falls, Foster, Gamble, James, Lutz, Nesbitt, Ramsey, Ray, Schwartz, White, and Woodard:

H. B. 1293, A BILL TO BE ENTITLED AN ACT TO REVISE AND PROVIDE FOR PROCEDURAL AND SUBSTANTIVE LAWS GOVERNING CLAIMS FOR PROFESSIONAL MALPRACTICE: TO REVISE THE STATUTE OF LIMITATIONS FOR ADULTS AND MINORS; TO PROVIDE FOR A STANDARD OF CARE, A DOCTRINE OF INFORMED CONSENT, AN EXTENSION OF THE GOOD SAMARITAN LAW, AND THE ELIMINATION OF THE AD DAMNUM CLAUSE, is referred to the Committee on Insurance.

CALENDAR

Action is taken on the following:

H. J. R. 1295, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER NOMINATIONS BY THE GOVERNOR TO FILL VACANCIES ON THE NORTH CAROLINA UTILITIES COMMISSION.

On motion of Representative Stevens, the resolution is temporarily displaced in order that S. J. R. 955 may be considered at this time.

S. J. R. 955, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER NOMINATIONS BY THE GOVERNOR TO FILL VACANCIES ON THE NORTH CAROLINA UTILITIES COMMISSION, passes its second and third readings, by a two-thirds majority vote, and is ordered enrolled.

On motion of Representative Stevens, H. J. R. 1295 is placed on tomorrow's Calendar.

On motion of Representative Stevens, seconded by Representative Pickler, the House adjourns to reconvene May 5, 1976 at 9:00 A.M.

ONE HUNDRED TWENTIETH DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 5, 1976

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Dr. Albert G. Edwards, House Chaplain.

Representative Stevens for the Committee on Rules and Operation of the House, reports the Journal of May 4, 1976, has been examined and found correct. Upon his motion, the Journal is approved as written.

Representative Hunter sends forth a report and minority report of the Committee on Research and Development in Public Education in North Carolina which is filed in the Principal Clerk's Office.

BILLS FILED WITH PRINCIPAL CLERK

The following bills and resolutions are filed in the Office of the Principal Clerk:

H. J. R. 1296, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO REWRITE THE CHARTER OF THE CITY OF CONOVER, NORTH CAROLINA.

H. J. R. 1297, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND G. S. 147-45 PERTAINING TO DISTRIBUTION OF COPIES OF SESSION LAWS AND OTHER STATE PUBLICATIONS BY THE SECRETARY OF STATE AND THE ADMINISTRATIVE OFFICER OF THE COURTS.

H. J. R. 1298, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 147-45 PERTAINING TO DISTRIBUTION OF COPIES OF SESSION LAWS AND OTHER STATE PUBLICATIONS BY THE SECRETARY OF STATE AND THE ADMINISTRATIVE OFFICER OF THE COURTS.

FIRST READING AND REFERENCE TO COMMITTEE

The following bills and resolutions are read the first time and referred to committee:

By Representative Setzer:

H. J. R. 1296, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO REWRITE THE CHARTER OF THE CITY OF CONOVER, NORTH CAROLINA, is referred to the Committee on Rules and Operation of the House.

By Representative Adams:

H. J. R. 1297, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND G. S. 147-45 PERTAINING TO DISTRIBUTION OF COPIES OF SESSION LAWS AND OTHER STATE PUBLICATIONS BY THE SECRETARY OF STATE AND THE ADMINISTRATIVE OFFICER OF THE COURTS, is referred to the Committee on Rules and Operation of the House.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. J. R. 955, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER NOMINATIONS BY THE GOVERNOR TO FILL VACANCIES ON THE NORTH CAROLINA UTILITIES COMMISSION.

CALENDAR

Action is taken on the following:

H. J. R. 1295, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER NOMINATIONS BY THE GOVERNOR TO FILL VACANCIES ON THE NORTH CAROLINA UTILITIES COMMISSION.

On motion of Representative Miller the resolution is postponed indefinitely.

On motion of Representative Stevens, the House recesses until 4:30 p.m.

RECESS

Pursuant to recess, the House is called to order by the Speaker.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Messer for the Committee on Insurance:

H. B. 1292, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO SECURE LIABILITY INSURANCE OR TO ACT AS A SELF-INSURER FOR HEALTH-CARE PROVIDERS, with a favorable report.

H. B. 1293, A BILL TO BE ENTITLED AN ACT TO REVISE AND PROVIDE FOR PROCEDURAL AND SUBSTANTIVE LAWS GOVERNING CLAIMS FOR PROFESSIONAL MALPRACTICE: TO REVISE THE STATUTE OF LIMITATIONS FOR ADULTS AND MINORS; TO PROVIDE FOR A STANDARD OF CARE, A DOCTRINE OF INFORMED CONSENT, AN EXTENSION OF THE GOOD SAMARITAN LAW, AND THE ELIMINATION OF THE AD DAMNUM CLAUSE, with a favorable report, as amended.

On the motion of Representative Stevens, seconded by Representative Duncan, the House adjourns to reconvene May 6, 1976.

ONE HUNDRED TWENTY-FIRST DAY

HOUSE OF REPRESENTATIVES
Thursday, May 6, 1976

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Dr. Albert G. Edwards, House Chaplain.

Representative Stevens, for the Committee on Rules and Operation of the House, reports the Journal of May 5, 1976 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Lawing for May 6 and 7.

BILLS FILED WITH PRINCIPAL CLERK

The following bills and resolutions are filed in the Office of the Principal Clerk:

By Representatives Davenport and Ramsey:

H. B. 1299, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 7A-304 AND G. S. 7A-305 TO INCREASE THE COSTS OF COURT IN THE SUPERIOR COURT AND DISTRICT COURT DIVISIONS OF THE GENERAL COURT OF JUSTICE.

By Representative Jones:

H. J. R. 1300, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND CHAPTER 263 OF THE 1975 SESSION LAWS TO DELETE POLK COUNTY FROM THE MODIFIED SUBDIVISION CONTROL ORDINANCE.

By Representative Jones:

H. B. 1301, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 263 OF THE 1975 SESSION LAWS TO DELETE POLK COUNTY FROM THE MODIFIED SUBDIVISION CONTROL ORDINANCE.

By Representative Setzer:

H. B. 1302, A BILL TO BE ENTITLED AN ACT TO REVISE, CONSOLIDATE AND RESTATE THE CHARTER OF THE CITY OF CONOVER AND TO REPEAL ALL PRIOR CHARTER ACTS.

By Representatives Davenport and Ramsey:

H. B. 1303, A BILL TO BE ENTITLED AN ACT TO INCREASE FEE FOR RECEIVING SERVICE OF PROCESS AS STATUTORY AGENT OF A CORPORATION TO RECOVER COST.

By Representative Cook:

H. J. R. 1304, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND ARTICLE 7 OF CHAPTER 110 OF THE GENERAL STATUTES, ENTITLED "DAY-CARE FACILITIES" TO PROVIDE CHANGES IN THE DEFINITION OF DAY CARE AND TO PROVIDE THAT THE COMMISSION SHALL HAVE THE POWER TO SEEK INJUNCTIVE RELIEF.

By Representative Cook:

H. B. 1305, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 7 OF CHAPTER 110 OF THE GENERAL STATUTES, ENTITLED

"DAY-CARE FACILITIES" TO PROVIDE CHANGES IN THE DEFINITION OF DAY CARE AND TO PROVIDE THAT THE COMMISSION SHALL HAVE THE POWER TO SEEK INJUNCTIVE RELIEF.

By Representative Sawyer:

H. B. 1306, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SIXTEEN PERCENT (16%) INCREASE IN THE SALARIES OF PROFESSIONAL EMPLOYEES IN THE PUBLIC SCHOOLS, COMMUNITY COLLEGES, TECHNICAL INSTITUTES AND INSTITUTIONS OF HIGHER EDUCATION.

By Representative Miller:

H. J. R. 1307, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OR SESSIONS OF THE SENATE AND HOUSE OF REPRESENTATIVES TO ACT ON CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION.

FIRST READING AND REFERENCE TO COMMITTEE

The following bills and resolutions are read the first time and referred to committee:

By Representatives Davenport and Ramsey:

H. B. 1299, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 7A-304 AND G. S. 7A-305 TO INCREASE THE COSTS OF COURT IN THE SUPERIOR COURT AND DISTRICT COURT DIVISIONS OF THE GENERAL COURT OF JUSTICE, is referred to the Committee on Finance.

By Representative Jones:

H. J. R. 1300, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND CHAPTER 263 OF THE 1975 SESSION LAWS TO DELETE POLK COUNTY FROM THE MODIFIED SUBDIVISION CONTROL ORDINANCE, is referred to the Committee on Rules and Operation of the House.

By Representatives Davenport and Ramsey:

H. B. 1303, A BILL TO BE ENTITLED AN ACT TO INCREASE FEE FOR RECEIVING SERVICE OF PROCESS AS STATUTORY AGENT OF A CORPORATION TO RECOVER COST, is referred to the Committee on Finance.

By Representatives Cook, Adams, Creech, DeRamus, Erwin, Farmer, Hutchins, Joseph Johnson, Miller, Ramsey, Ned Smith, Wade Smith, and Tennille:

H. J. R. 1304, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND ARTICLE 7 OF CHAPTER 110 OF THE GENERAL STATUTES, ENTITLED "DAY-CARE FACILITIES" TO PROVIDE CHANGES IN THE DEFINITION OF DAY CARE

AND TO PROVIDE THAT THE COMMISSION SHALL HAVE THE POWER TO SEEK INJUNCTIVE RELIEF, is referred to the Committee on Rules and Operation of the House.

By Representatives Sawyer, Dorsey, Jones, Miller, and Ned Smith:

H. B. 1306, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A SIXTEEN PERCENT (16%) INCREASE IN THE SALARIES OF PROFESSIONAL EMPLOYEES IN THE PUBLIC SCHOOLS, COMMUNITY COLLEGES, TECHNICAL INSTITUTES AND INSTITUTIONS OF HIGHER EDUCATION, is referred to the Committee on Appropriations.

By Representative Miller:

H. J. R. 1307, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OR SESSIONS OF THE SENATE AND HOUSE OF REPRESENTATIVES TO ACT ON CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION, is referred to the Committee on Public Utilities.

CALENDAR

Action is taken on the following:

H. B. 1292, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO SECURE LIABILITY INSURANCE OR TO ACT AS A SELF-INSURER FOR HEALTH-CARE PROVIDERS.

Representative Ramsey offers an amendment.

A division having been called, the amendment fails with 43 members voting in the affirmative and 63 members voting in the negative.

Representative Messer calls the previous question. The call is sustained.

Representative Messer calls for the "ayes" and "noes", and the call is sustained.

The bill passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Auman, Baker, Ballenger, Barker, Barnes, Beard, Bell, Breece, Bright, Bumgardner, Bundy, Campbell, Chapin, Chase Cobb, Collins, Cook, Creech, Cullipher, Davenport, Davis, DeBruhl, DeRamus, Diamont, Dorsey, Duncan, Eagles, Edwards, Ellis, Enloe, Erwin, Falls, Farmer, Foster, Frye, Gamble, Gardner, Gentry, Gregory, Griffin, Hairston, Harris, Heer, Helms, Hightower, Edward Holmes, George Holmes, Bertha Holt, Charles Holt, Hunt, Hunter Hurst, Huskins, Hyde, James, Jernigan, Joseph Johnson, Joy Johnson, Jones, Jordan, Josey, Lachot, Leonard, Lilley, Love, Lutz, McMillan, Mason, Mathis, Messer, Michaux, Miller, Morris, Nash, Nesbitt, Oxendine, Parnell, Phillips, Pickler, Plyler, Prestwood, Pugh, Quinn, Ramsey, Ray, Revelle, Rhodes, Rogers, Rountree, Sandlin, Sawyer,

Schwartz, Setzer, Short, Neal Smith, Ned Smith, Wade Smith, Soles, Spoon, Stevens, Stewart, Tally, Tennille, Thomas, Tison, Varner, Ward, Watkins, Webb, White, Wiseman, Woodard, and Wright — 114.

Voting in the negative: None.

Representative Hightower offers an amendment.

On motion of Representative Soles, seconded by Representative Eagles, the amendment is tabled.

The bill passes its third reading and is ordered sent to the Senate.

H. B. 1293, A BILL TO BE ENTITLED AN ACT TO REVISE AND PROVIDE FOR PROCEDURAL AND SUBSTANTIVE LAWS GOVERNING CLAIMS FOR PROFESSIONAL MALPRACTICE: TO REVISE THE STATUTE OF LIMITATIONS FOR ADULTS AND MINORS; TO PROVIDE FOR A STANDARD OF CARE, A DOCTRINE OF INFORMED CONSENT, AN EXTENSION OF THE GOOD SAMARITAN LAW, AND THE ELIMINATION OF THE AD DAMNUM CLAUSE.

On motion of Representative Messer, Chairman of the Insurance Committee, the Committee amendment is withdrawn.

Representative Harris offers an amendment which is adopted.

Representative Miller offers an amendment which is adopted.

Representative Harris offers an amendment which is adopted.

Representative Soles offers an amendment.

On motion of Representative Ramsey, seconded by Representative Gregory, the amendment is tabled.

Representative Messer calls the previous question. The call is sustained.

Representative Messer calls for the "ayes" and "noes", and the call is sustained.

Representative Miller requests that he be excused from voting on this bill under Rule 23 (b) and on vote of the membership this request is granted.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Auman, Baker, Ballenger, Barbee, Barker, Barnes, Beard, Bell, Breece, Bright, Bumgardner, Bundy, Campbell, Chapin, Chase, Cobb, Collins, Cook, Creech, Cullipher, Davenport, Davis, DeBruhl, DeRamus, Diamont, Dorsey, Duncan, Eagles, Edwards, Ellis, Enloe, Erwin, Falls, Farmer, Foster, Gamble, Gardner, Gentry, Gilmore, Gregory, Griffin, Hairston, Harris, Heer, Helms, Hightower, Edward Holmes, George Holmes, Bertha Holt, Charles Holt, Hunt, Hunter, Hurst, Huskins, Hyde, James, Jernigan, Joseph Johnson, Joy Johnson, Jordan, Josey, Lachot, Leonard, Lilley, Love, Lutz, McMillan, Mason, Mathis, Messer, Morris, Nash, Nesbitt, Oxendine, Parnell, Phillips, Pickler, Plyler, Prestwood, Pugh, Quinn, Ramsey, Ray, Revelle, Rhodes,

Rogers, Rountree, Sandlin, Sawyer, Schwartz, Setzer, Short, Neal Smith, Ned Smith, Wade Smith, Soles, Spoon, Stewart, Tally, Tennille, Thomas, Tison, Varner, Ward, Watkins, White, Wiseman, Woodard, and Wright — 110.

Voting in the negative: Representatives Frye, Stevens, and Webb — 3.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. J. R. 960, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO PROVIDE THAT THE DAILY SUBSISTENCE ALLOWANCE OF THE MEMBERS OF THE GENERAL ASSEMBLY FOR ATTENDANCE AT THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, SHALL TERMINATE EFFECTIVE MAY 15, 1976, is read the first time and is referred to the Committee on Rules and Operation of the House.

On motion of Representative Stevens, seconded by Representative Oxendine, the House adjourns to reconvene May 7, 1976 at 9:00 a.m.

ONE HUNDRED TWENTY-SECOND DAY

HOUSE OF REPRESENTATIVES

Friday, May 7, 1976

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Representative Charles W. Phillips.

Representative Stevens, for the Committee on Rules and Operation of the House, reports the Journal of May 6, 1976 has been examined and found correct. Upon his motion, the Journal is approved as written.

On motion of Representative Stevens, the rules are suspended, and the Honorable John Boyce, Mayor of Guildford, England, and his wife, Mayoress Joan Boyce, are invited to approach the well of the House to present the following resolution passed by the Council of Borough of Guildford:

“Resolution passed by the Council of the Borough of Guildford at a meeting held on Wednesday, 28th April 1976.

Resolved: That the Council and citizens of the Borough of Guildford in the County of Surrey extend their good wishes to the citizens of Raleigh and of the State of North Carolina and express their appreciation for the arrangements made for the Mayor and Mayoress to meet the House of Representatives during their visit to North Carolina for the United States Bicentennial Year Celebrations of the American Independence.”

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Stevens for the Committee on Rules and Operation of the House:

H. J. R. 1285, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ARTHUR WEBSTER THOMAS, JR., A FORMER MEMBER OF THE GENERAL ASSEMBLY, with a favorable report.

On motion of Representative Stevens, the rules are suspended on a unanimous vote and the resolution is placed before the House for immediate consideration.

The resolution passes its second and third readings, by a two-thirds majority, and is ordered sent to the Senate by Special Message.

H. J. R. 1297, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND G. S. 147-45 PERTAINING TO DISTRIBUTION OF COPIES OF SESSION LAWS AND OTHER STATE PUBLICATIONS BY THE SECRETARY OF STATE AND THE ADMINISTRATIVE OFFICER OF THE COURTS, with an indefinite postponement report.

H. J. R. 1304, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND ARTICLE 7 OF CHAPTER 110 OF THE GENERAL STATUTES, ENTITLED "DAY-CARE FACILITIES" TO PROVIDE CHANGES IN THE DEFINITION OF DAY CARE AND TO PROVIDE THAT THE COMMISSION SHALL HAVE THE POWER TO SEEK INJUNCTIVE RELIEF, with an indefinite postponement report.

By Representative Miller for the Committee on Public Utilities:

H. J. R. 1307, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OR SESSIONS OF THE SENATE AND HOUSE OF REPRESENTATIVES TO ACT ON CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION, with a favorable report.

BILLS FILED WITH PRINCIPAL CLERK

The following bills and resolutions are filed in the Office of the Principal Clerk:

By Representatives Revelle, Adams, Ballenger, Barnes, Beard, Bell, Breece, Bright, Campbell, Chapin, Chase and Collins:

H. J. R. 1308, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO EFFECT CHANGES IN THE ORGANIZATION AND ADMINISTRATION OF THE NORTH CAROLINA MOTOR VEHICLE REINSURANCE FACILITY.

By Representatives Revelle and Beard:

H. B. 1309, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE 25A OF CHAPTER 58 OF THE GENERAL STATUTES TO MAKE NECESSARY IMPROVEMENTS IN THE ORGANIZATION AND ADMINISTRATION OF THE NORTH CAROLINA MOTOR VEHICLE REINSURANCE FACILITY.

By Representatives Creech, Adams, Cook, Farmer, and Joseph Johnson:

H. B. 1310, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES TAX CERTAIN MEALS SOLD TO ELDERLY AND INCAPACITATED PERSONS.

By Representatives Messer and Lilley:

H. B. 1311, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA HEALTH CARE EXCESS LIABILITY FUND.

By Representatives Hutchins, Ballenger, Bissell, Dorsey, George Holmes, Mathis, Rhodes, and Spoon:

H. B. 1312, A BILL TO BE ENTITLED AN ACT TO RAISE SALARIES AND WAGES BY TEN PERCENT (10%) FOR ALL NORTH CAROLINA TEACHERS AND STATE EMPLOYEES, AND FOR CERTAIN STATE OFFICIALS.

By Representative Adams:

H. B. 1313, A BILL TO BE ENTITLED AN ACT TO REQUIRE CORPORATIONS TO MAKE DECLARATIONS OF ESTIMATED INCOME TAX AND INSTALLMENT PAYMENTS OF ESTIMATED INCOME TAX.

FIRST READING AND REFERENCE TO COMMITTEE

The following bills and resolutions are read the first time and referred to committee:

By Representatives Revelle, Adams, Ballenger, Barnes, Beard, Bell, Breece, Bright, Campbell, Chapin, Chase, Collins, Cook, Creech, Cullipher, Davis, DeBruhl, DeRamus, Dorsey, Duncan, Edwards, Ellis, Enloe, Erwin, Falls, Foster, Gardner, Gentry, Gregory, Griffin, Harris, Helms, George Holmes, Bertha Holt, Charles Holt, Hunt, Hurst, Hutchins, Hyde, James, Jernigan, Joseph Johnson, Jones, Lachot, Lawing, Lilley, Love, Lutz, Mason, Michaux, Miller, Morris, Nesbitt, Oxendine, Parnell, Phillips, Pickler, Prestwood, Ramsey, Ray, Rogers, Rountree, Sandlin, Sawyer, Schwartz, Ned Smith, Wade Smith, Soles, Spoon, Stewart, Tally, Tennille, Thomas, Tison, Varner, Ward, Watkins, White, Wiseman, and Woodard.

H. J. R. 1308, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO EFFECT CHANGES IN THE ORGANIZATION AND ADMINISTRATION OF THE NORTH CAROLINA MOTOR VEHICLE REINSURANCE FACILITY.

Representative Beard moves to suspend the rules to the end that this resolution may be placed on today's Calendar. This motion carries by a two-thirds majority, by the following vote, and the resolution is placed on the Calendar.

Those voting in the affirmative are: Representatives Auman, Ballenger, Barnes, Beard, Breece, Bumgardner, Campbell, Chase, Cullipher, DeBruhl, DeRamus, Dorsey, Duncan, Eagles, Edwards, Ellis, Enloe, Erwin, Falls, Farmer, Foster, Frye, Gardner, Gregory, Helms, Hightower, George Holmes, Bertha Holt, Charles Holt, Hunt, Hurst, Huskins, Hyde, James, Jernigan, Joseph Johnson, Joy Johnson, Jordan, Leonard, Lilley, Lutz, McMillan, Messer, Michaux, Miller, Morris, Parnell, Phillips, Pickler, Prestwood, Pugh, Ramsey, Ray, Revelle, Rhodes, Sandlin, Schwartz, Setzer, Ned Smith, Soles, Tally, Tennille, Thomas, Tison, Ward, Wiseman, and Woodard — 67.

Voting in the negative: Representatives Baker, Barker, Bundy, Chapin, Gamble, Hairston, Heer, Hunter, Plyler, Quinn, Sawyer, Neal Smith, and Varner — 13.

By Representatives Creech, Adams, Cook, Farmer, and Joseph Johnson:

H. B. 1310, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES TAX CERTAIN MEALS SOLD TO ELDERLY AND INCAPACITATED PERSONS, is referred to the Committee on Finance.

By Representatives Messer and Lilley:

H. B. 1311, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA HEALTH CARE EXCESS LIABILITY FUND, is referred to the Committee on Insurance.

By Representatives Hutchins, Ballenger, Bissell, DeRamus, Dorsey, Erwin, George Holmes, Mathis, Rhodes, Ned Smith, and Spoon:

H. B. 1312, A BILL TO BE ENTITLED AN ACT TO RAISE SALARIES AND WAGES BY TEN PERCENT (10%) FOR ALL NORTH CAROLINA TEACHERS AND STATE EMPLOYEES AND FOR CERTAIN STATE OFFICIALS, is referred to the Committee on Appropriations.

By Representatives Adams, Cook, Creech, Farmer, Joseph Johnson, Wade Smith, Davis, Harris, Hunt, Ned Smith, Tally, and Webb:

H. B. 1313, A BILL TO BE ENTITLED AN ACT TO REQUIRE CORPORATIONS TO MAKE DECLARATIONS OF ESTIMATED INCOME TAX AND INSTALLMENT PAYMENTS OF ESTIMATED INCOME TAX, is referred to the Committee on Finance.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H. B. 1292, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO SECURE LIABILITY INSURANCE OR TO ACT AS A

SELF-INSURER FOR HEALTH-CARE PROVIDERS, is returned for concurrence in three Senate amendments.

On motion of Representative Messer, the House concurs in the Senate amendments, and the bill is ordered enrolled.

CALENDAR

Action is taken on the following:

H. B. 1293, A BILL TO BE ENTITLED AN ACT TO REVISE AND PROVIDE FOR PROCEDURAL AND SUBSTANTIVE LAWS GOVERNING CLAIMS FOR PROFESSIONAL MALPRACTICE: TO REVISE THE STATUTE OF LIMITATIONS FOR ADULTS AND MINORS; TO PROVIDE FOR A STANDARD OF CARE, A DOCTRINE OF INFORMED CONSENT, AN EXTENSION OF THE GOOD SAMARITAN LAW, AND THE ELIMINATION OF THE AD DAMNUM CLAUSE.

Representative Hyde offers an amendment.

Representative Messer calls for the "ayes" and "noes", and the call is sustained.

The amendment fails by the following vote.

Those voting in the affirmative are: Representatives Adams, Ballenger, Breece, Cook, DeRamus, Erwin, Frye, Hairston, Harris, Helms, Hightower, Edward Holmes, Bertha Holt, Hunt, Hyde, Joseph Johnson, Jones, Lachot, Leonard, McMillan, Mathis, Michaux, Miller, Oxendine, Rogers, Rountree, Setzer, Short, Ned Smith, Wade Smith, Soles, Stevens, Tally, Tennille, and Webb — 35 .

Voting in the negative: Representatives Auman, Baker, Barbee, Barker, Barnes, Beard, Bell, Bissell, Bright, Bumgardner, Bundy, Campbell, Chapin, Chase, Creech, Cullipher, Davenport, Davis, DeBruhl, Diamont, Dorsey, Duncan, Eagles, Edwards, Ellis, Enloe, Farmer, Foster, Gamble, Gardner, Gentry, Gilmore, Gregory, Griffin, Heer, George Holmes, Charles Holt, Hunter, Hurst, Huskins, James, Jernigan, Joy Johnson, Jordan, Lilley, Lutz, Mason, Messer, Morris, Nash, Nesbitt, Parnell, Pickler, Plyler, Prestwood, Pugh, Quinn, Ramsey, Ray, Revelle, Rhodes, Sandlin, Sawyer, Schwartz, Neal Smith, Spoon, Thomas, Tison, Varner, Ward, Watkins, White, Wiseman, and Woodard — 74.

Representative DeRamus offers an amendment which is adopted.

Representative Huskins offers an amendment.

Representative Gamble calls for the "ayes" and "noes", and the call is sustained.

The amendment is adopted by the following vote.

Those voting in the affirmative are: Representatives Adams, Auman, Ballenger, Barbee, Barker, Barnes, Breece, Bright, Campbell, Chapin, Cook, Creech, Davenport, DeBruhl, DeRamus, Diamont, Duncan, Eagles, Edwards, Ellis, Enloe, Erwin, Foster, Frye, Gardner, Gentry, Gilmore, Hairston,

Harris, Heer, Helms, Edward Holmes, George Holmes, Bertha Holt, Charles Holt, Hunt, Huskins, Hyde, Jernigan, Joseph Johnson, Joy Johnson, Jones, Lachot, Leonard, Lilley, McMillan, Mason, Mathis, Michaux, Morris, Nash, Nesbitt, Parnell, Phillips, Pickler, Prestwood, Pugh, Revelle, Rogers, Rountree, Sandlin, Sawyer, Setzer, Short, Ned Smith, Wade Smith, Soles, Tally, Tennille, Thomas, Tison, and Webb — 72.

Voting in the negative: Representatives Baker, Beard, Bissell, Bumgardner, Bundy, Chase, Cullipher, Dorsey, Falls, Gamble, Gregory, Griffin, Hightower, Hunter, James, Jordan, Oxendine, Plyler, Ramsey, Ray, Rhodes, Schwartz, Spoon, Stewart, Varner, Watkins, White, Wiseman, and Woodard — 29.

Representative Stevens presiding, not voting.

Representative Erwin offers an amendment.

Representative James moves, seconded by Representative Quinn, to table the amendment.

Representative Harris calls for the “ayes” and “noes”, and the call is sustained.

The amendment is tabled by the following vote.

Those voting in the affirmative are: Representatives Baker, Ballenger, Barbee, Barker, Barnes, Beard, Bell, Bright, Bumgardner, Campbell, Chapin, Chase, Collins, Cullipher, Davenport, DeBruhl, Duncan, Eagles, Ellis, Enloe, Foster, Gamble, Gardner, Gentry, Gregory, Griffin, Hairston, Heer, George Holmes, Hunter, Hurst, James, Jernigan, Jordan, Josey, Lilley, Love, Lutz, Messer, Morris, Nash, Pickler, Plyler, Quinn, Ramsey, Ray, Revelle, Rhodes, Sawyer, Schwartz, Setzer, Thomas, Tison, Varner, Watkins, White, Wiseman, and Woodard — 58.

Voting in the negative: Representatives Adams, Auman, Bissell, Breece, Cook, Creech, DeRamus, Diamont, Edwards, Erwin, Farmer, Frye, Gilmore, Harris, Hightower, Edward Holmes, Bertha Holt, Charles Holt, Hunt, Huskins, Hyde, Joseph Johnson, Joy Johnson, Jones, Lachot, Leonard, McMillan, Mathis, Michaux, Nesbitt, Oxendine, Parnell, Prestwood, Pugh, Rountree, Sandlin, Short, Neal Smith, Ned Smith, Wade Smith, Spoon, Stevens, Tally, Tennille, and Webb — 45.

Representative Davenport offers two amendments which are adopted.

Representative Davenport offers a third amendment.

On motion of Representative Messer, seconded by Representative Quinn, this amendment is tabled.

Representative Messer moves to reconsider the vote by which Representative DeRamus' amendment was adopted.

Representative DeRamus moves, seconded by Representative Lachot, to table Representative Messer's motion.

Representative Messer calls for the “ayes” and “noes”, and the call is sustained.

The motion to table Representative Messer's motion fails by the following vote.

Those voting in the affirmative are: Representatives Adams, Ballenger, Bissell, Breece, Cook, Creech, Davenport, DeRamus, Diamont, Edwards, Erwin, Falls, Frye, Gilmore, Harris, Helms, Hightower, Edward Holmes, Bertha Holt, Charles Holt, Hunt, Hyde, Joseph Johnson, Jones, Lachot, Lutz, McMillan, Mathis, Michaux, Nesbitt, Oxendine, Parnell, Pugh, Rogers, Setzer, Short, Ned Smith, Stevens, Tally, Tennille, Webb, and White — 42.

Voting in the negative: Representatives Auman, Baker, Barbee, Barker, Barnes, Beard, Bell, Bright, Bumgardner, Bundy, Campbell, Chapin, Chase, Collins, Cullipher, Davis, DeBruhl, Dorsey, Duncan, Eagles, Ellis, Enloe, Farmer, Foster, Gamble, Gentry, Griffin, Hairston, Heer, Hunter, Hurst, Huskins, Jernigan, Joy Johnson, Jordan, Josey, Leonard, Lilley, Mason, Messer, Morris, Nash, Phillips, Pickler, Plyler, Prestwood, Quinn, Ramsey, Ray, Revelle, Rhodes, Sandlin, Sawyer, Schwartz, Neal Smith, Wade Smith, Spoon, Stewart, Thomas, Tison, Varner, Ward, Watkins, Wiseman, and Woodard — 65.

Now the question is the motion by Representative Messer to reconsider the vote by which Representative DeRamus' amendment was adopted.

Representative Erwin calls for the "ayes" and "noes", and the call is sustained.

The motion to reconsider carries by the following vote.

Those voting in the affirmative are: Representatives Auman, Baker, Barbee, Barker, Barnes, Beard, Bell, Bright, Bundy, Campbell, Chapin, Chase, Collins, Cullipher, Davis, DeBruhl, Dorsey, Duncan, Eagles, Ellis, Enloe, Falls, Farmer, Foster, Gamble, Gentry, Griffin, Hairston, Heer, George Holmes, Charles Holt, Hunter, Huskins, Jernigan, Joy Johnson, Jordan, Josey, Leonard, Lilley, Love, Lutz, Mason, Messer, Morris, Nash, Pickler, Plyler, Quinn, Ramsey, Ray, Revelle, Rhodes, Rountree, Sandlin, Sawyer, Schwartz, Neal Smith, Wade Smith, Spoon, Stewart, Thomas, Tison, Varner, Ward, Watkins, White, and Woodard — 67.

Voting in the negative: Representatives Adams, Ballenger, Bissell, Breece, Cook, Davenport, DeRamus, Diamont, Edwards, Erwin, Frye, Gilmore, Harris, Helms, Hightower, Edward Holmes, Bertha Holt, Hyde, Joseph Johnson, Jones, Lachot, McMillan, Mathis, Michaux, Nesbitt, Oxendine, Parnell, Phillips, Prestwood, Pugh, Rogers, Setzer, Short, Ned Smith, Stevens, Tally, Tennille, and Webb — 38.

Representative Messer moves, seconded by Representative Quinn, to table Representative DeRamus' amendment.

Representative Messer calls for the "ayes" and "noes", and the call is sustained.

The motion to table the amendment carries by the following vote.

Those voting in the affirmative are: Representatives Auman, Baker, Barbee, Barker, Barnes, Beard, Bell, Bright, Bumgardner, Bundy, Campbell,

Chapin, Chase, Collins, Cullipher, Davenport, Davis, DeBruhl, Dorsey, Duncan, Eagles, Ellis, Enloe, Falls, Farmer, Foster, Gamble, Gentry, Gregory, Griffin, Hairston Heer, George Holmes, Charles Holt, Hunter, Jernigan, Joy Johnson, Jordan, Josey, Lachot, Leonard, Lilley, Love, Lutz, Messer, Morris, Nash, Pickler, Plyler, Quinn, Ramsey, Ray, Revelle, Rhodes, Sandlin, Sawyer, Schwartz, Neal Smith, Wade Smith, Spoon, Stewart, Thomas, Tison, Varner, Ward, Watkins, White, Wiseman, and Woodard — 69.

Voting in the negative: Representatives Adams, Ballenger, Bissell, Breece, Cook, Creech, DeRamus, Diamont, Edwards, Erwin, Frye, Gilmore, Harris, Helms, Hightower, Edward Holmes, Bertha Holt, Hunt, Hyde, Joseph Johnson, Jones, McMillan, Mathis, Michaux, Nesbitt, Oxendine, Parnell, Phillips, Prestwood, Pugh, Rogers, Setzer, Short, Ned Smith, Stevens, Tally, Tennille, and Webb — 38.

Representative Campbell moves that the vote by which Representative Davenport's amendment was tabled be reconsidered.

Representative Harris moves to recommit the bill to a Judiciary Committee.

On motion of Representative Davenport, seconded by Representative Quinn, this motion is tabled.

Now the question is the motion of Representative Campbell to reconsider the vote by which Representative Davenport's amendment was tabled. The Chair rules the motion carries by a two-thirds majority.

Representative Messer calls for the "ayes" and "noes", on Representative Davenport's amendment, and the call is sustained.

The amendment is adopted by the following vote.

Those voting in the affirmative are: Representatives Adams, Ballenger, Barbee, Barnes, Bissell, Campbell, Cook, Creech, Davenport, DeBruhl, DeRamus, Diamont, Eagles, Edwards, Ellis, Erwin, Farmer, Foster, Frye, Gentry, Gilmore, Griffin, Hairston, Harris, Helms, Hightower, Edward Holmes, Bertha Holt, Hunt, Joseph Johnson, Joy Johnson, Jones, Leonard, McMillan, Michaux, Miller, Nesbitt, Oxendine, Parnell, Phillips, Pugh, Revelle, Rogers, Rountree, Setzer, Short, Neal Smith, Ned Smith, Wade Smith, Spoon, Tally, Tennille, Tison, and Webb — 54.

Voting in the negative: Representatives Auman, Baker, Barker, Bell, Bright, Bumgardner, Bundy, Chapin, Chase, Collins, Cullipher, Dorsey, Duncan, Enloe, Falls, Gamble, Gregory, Heer, George Holmes, Charles Holt, Hunter, Hurst, Huskins, Hyde, Jernigan, Jordan, Lachot, Lilley, Love, Lutz, Mathis, Messer, Morris, Nash, Pickler, Plyler, Prestwood, Quinn, Ramsey, Ray, Rhodes, Sandlin, Sawyer, Schwartz, Thomas, Varner, Ward, Watkins, White, Wiseman, and Woodard — 51.

Representative Barnes offers an amendment which fails.

Representative Joseph Johnson offers an amendment which is adopted.

Representative Harris offers an amendment which is adopted.

Representative Messer calls the previous question and the call is sustained.

Representative Messer calls for the "ayes" and "noes", and the call is sustained.

The bill passes its third reading, as amended, by the following vote, and is ordered engrossed and sent to the Senate.

Those voting in the affirmative are: Representatives Adams, Auman, Baker, Ballenger, Barbee, Barker, Barnes, Beard, Bell, Bissell, Bumgardner, Bundy, Campbell, Chapin, Chase, Collins, Cook, Creech, Cullipher, Davenport, Davis, DeRamus, Diamont, Dorsey, Duncan, Eagles, Edwards, Ellis, Enloe, Erwin, Falls, Farmer, Foster, Frye, Gamble, Gardner, Gentry, Gilmore, Griffin, Hairston, Harris, Heer, Helms, Hightower, Edward Holmes, George Holmes, Bertha Holt, Charles Holt, Hunt, Hunter, Hurst, Huskins, Hyde, Jernigan, Joseph Johnson, Joy Johnson, Jones, Jordan, Lachot, Leonard, Lilley, Love, Lutz, McMillan, Mathis, Messer, Michaux, Morris, Nash, Nesbitt, Oxendine, Parnell, Pickler, Plyler, Prestwood, Pugh, Quinn, Ramsey, Ray, Revelle, Rhodes, Rogers, Rountree, Sandlin, Sawyer, Schwartz, Setzer, Short, Neal Smith, Ned Smith, Wade Smith, Spoon, Stevens, Stewart, Tally, Tennille, Thomas, Tison, Varner, Webb, White, Wiseman, and Woodard — 103.

Voting in the negative: None.

MESSAGES FROM THE SENATE

The following are received from the Senate:

S. J. R. 964, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OR SESSIONS OF THE SENATE AND HOUSE OF REPRESENTATIVES TO ACT ON CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION, is read the first time and is referred to the Committee on Rules and Operation of the House.

S. B. 959, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA HEALTH CARE EXCESS LIABILITY FUND, is read the first time and referred to the Committee on Insurance.

S. B. 956, A BILL TO BE ENTITLED AN ACT TO REVISE AND PROVIDE FOR PROCEDURAL AND SUBSTANTIVE LAWS GOVERNING CLAIMS FOR PROFESSIONAL MALPRACTICE: TO REVISE THE STATUTE OF LIMITATIONS FOR ADULTS AND MINORS; TO PROVIDE FOR A STANDARD OF CARE, A DOCTRINE OF INFORMED CONSENT, AN EXTENSION OF THE GOOD SAMARITAN LAW, AND THE ELIMINATION OF THE AD DAMNUM CLAUSE, is read the first time and is referred to the Committee on Insurance.

On motion of Representative Stevens, seconded by Representative Ramsey, the House adjourns to reconvene Monday, May 10, 1976 at 9:00 a.m.

ONE HUNDRED TWENTY-THIRD DAY

HOUSE OF REPRESENTATIVES

Monday, May 10, 1976

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Dr. Albert G. Edwards, House Chaplain.

Representative Stevens for the Committee on Rules and Operation of the House, reports the Journal of May 7, 1976 has been examined and found correct. Upon his motion, the Journal is approved as written.

A leave of absence is granted Representative Breece for May 10, 1976.

BILLS FILED WITH PRINCIPAL CLERK

The following bills and resolutions are filed in the Office of the Principal Clerk:

By Representative Miller:

H. J. R. 1314, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND CHAPTER 657, SESSION LAWS OF 1975 SO AS TO PROVIDE A PROCEDURE FOR A NONPARTISAN ELECTION AND RUN-OFF ELECTION FOR THE DURHAM COUNTY BOARD OF EDUCATION.

By Representative Sawyer:

H. B. 1315, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A ONE THOUSAND SEVEN HUNDRED DOLLAR (\$1,700) INCREASE IN THE SALARIES OF ALL STATE EMPLOYEES AND EMPLOYEES OF PUBLIC SCHOOLS, COMMUNITY COLLEGES, TECHNICAL INSTITUTES AND COLLEGES AND UNIVERSITIES OF THE STATE UNIVERSITY SYSTEM.

By Representative Wade Smith:

H. J. R. 1316, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO AMEND CHAPTER 346 OF THE 1973 SESSION LAWS TO MAKE SAID CHAPTER APPLY TO THE CITY OF RALEIGH.

By Representative Wade Smith:

H. B. 1317, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 346 OF THE 1973 SESSION LAWS TO MAKE SAID CHAPTER APPLY TO THE CITY OF RALEIGH.

By Representative Miller:

H. B. 1318, A BILL TO BE ENTITLED AN ACT TO AMEND CHAPTER 657 OF THE SESSION LAWS OF 1975, PROVIDING FOR THE ELEC-

TION OF MEMBERS OF THE DURHAM COUNTY BOARD OF EDUCATION BY THE QUALIFIED VOTERS OF THE COUNTY COMMENCING IN 1976 AND QUADRENNIALLY THEREAFTER.

By Representative George Holmes:

H. J. R. 1319, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO PROVIDE FOR THE NOMINATION, ELECTION AND TERMS OF THE BOARD OF COUNTY COMMISSIONERS OF YADKIN COUNTY.

By Representative George Holmes:

H. B. 1320, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR THE NOMINATION AND ELECTION OF COUNTY COMMISSIONERS IN YADKIN COUNTY, AND TO STAGGER THEIR TERMS OF OFFICE.

FIRST READING AND REFERENCE TO COMMITTEE

The following bills and resolutions are read the first time and referred to committee:

By Representative Miller:

H. J. R. 1314, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND CHAPTER 657, SESSION LAWS OF 1975 SO AS TO PROVIDE A PROCEDURE FOR A NONPARTISAN ELECTION AND RUN-OFF ELECTION FOR THE DURHAM COUNTY BOARD OF EDUCATION, is referred to the Committee on Rules and Operation of the House.

By Representative Sawyer:

H. B. 1315, A BILL TO BE ENTITLED AN ACT TO PROVIDE FOR A ONE THOUSAND SEVEN HUNDRED DOLLAR (\$1,700) INCREASE IN THE SALARIES OF ALL STATE EMPLOYEES AND EMPLOYEES OF PUBLIC SCHOOLS, COMMUNITY COLLEGES, TECHNICAL INSTITUTES AND COLLEGES AND UNIVERSITIES OF THE STATE UNIVERSITY SYSTEM, is referred to the Committee on Appropriations.

By Representatives Wade Smith, Cook, Creech, Farmer and Joe Johnson:

H. J. R. 1316, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO AMEND CHAPTER 346 OF THE 1973 SESSION LAWS TO MAKE SAID CHAPTER APPLY TO THE CITY OF RALEIGH, is referred to the Committee on Rules and Operation of the House.

By Representatives George Holmes and Edwards:

H. J. R. 1319, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO PROVIDE FOR THE NOMINATION, ELECTION AND TERMS OF THE BOARD OF COUNTY COMMISSIONERS OF YADKIN COUNTY.

On motion of Representative George Holmes, the rules are suspended by a two-thirds majority and the resolution is placed before the House for immediate consideration.

The resolution passes its second and third readings, by a two-thirds majority vote, and is ordered sent to the Senate by Special Message.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 1292, AN ACT TO AUTHORIZE THE BOARD OF GOVERNORS OF THE UNIVERSITY OF NORTH CAROLINA TO SECURE LIABILITY INSURANCE OR TO ACT AS A SELF-INSURER FOR HEALTH-CARE PROVIDERS.

CALENDAR

Action is taken on the following:

H. J. R. 1307, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OR SESSIONS OF THE SENATE AND HOUSE OF REPRESENTATIVES TO ACT ON CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION, passes its second and third readings, by a two-thirds majority vote, and is ordered sent to the Senate by Special Message.

H. J. R. 1308, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO EFFECT CHANGES IN THE ORGANIZATION AND ADMINISTRATION OF THE NORTH CAROLINA MOTOR VEHICLE REINSURANCE FACILITY, passes its second and third readings, by a two-thirds majority vote, and is ordered sent to the Senate by Special Message.

On motion of Representative Stevens the House recesses until 4:00 P.M.

RECESS

Pursuant to recess, the House is called to order by the Speaker.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Ramsey for the Committee on Finance:

H. B. 1291, A BILL TO BE ENTITLED AN ACT TO CHANGE THE QUARTERLY SYSTEM OF REMITTING STATE PERSONAL INCOME TAX WITHHELD BY EMPLOYERS TO A MONTHLY SYSTEM FOR LARGE EMPLOYERS AND TO PROVIDE FOR UNIFORM MONTHLY FILING DATES, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Representative Ramsey, the substitute bill is adopted and is placed on the Calendar and the original bill is placed on the Unfavorable Calendar.

H. B. 1299, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 7A-304 AND G. S. 7A-305 TO INCREASE THE COSTS OF COURT IN THE SUPERIOR COURT AND DISTRICT COURT DIVISIONS OF THE GENERAL COURT OF JUSTICE, with a favorable report, as amended.

The Chair rules the committee amendment to be material. On motion of Representative Ramsey, the amendment is adopted and the bill is placed on tomorrow's Calendar for its second reading.

H. B. 1303, A BILL TO BE ENTITLED AN ACT TO INCREASE FEE FOR RECEIVING SERVICE OF PROCESS AS STATUTORY AGENT OF A CORPORATION TO RECOVER COST, with a favorable report.

H. B. 1310, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES TAX CERTAIN MEALS SOLD TO ELDERLY AND INCAPACITATED PERSONS, with a favorable report.

By Representative Messer for the Committee on Insurance:

S. B. 959, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA HEALTH CARE EXCESS LIABILITY FUND, with a favorable report, as amended.

On motion of Representative Lachot, the rules are suspended, by a two-thirds majority, and the bill is placed before the House for immediate consideration.

On motion of Representative Messer, the six committee amendments are adopted.

Representative DeRamus offers an amendment which fails.

Representative Ramsey offers an amendment which is adopted.

Representative Helms offers an amendment.

On motion of Representative Messer, seconded by Representative Lilley, the amendment is tabled.

Representative Messer calls the previous question and the call is sustained.

Representative Messer calls for the "ayes" and "noes" and the call is sustained.

The bill, as amended, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Auman, Baker, Ballenger, Barbee, Barker, Barnes, Beard, Bell, Bright, Bumgardner, Bundy, Campbell, Chapin, Chase, Collins, Cook, Creech, Cullipher, Davenport, Davis, DeBruhl, DeRamus, Diamont, Dorsey, Duncan, Eagles, Edwards,

Ellis, Enloe, Erwin, Falls, Foster, Frye, Gamble, Gardner, Gentry, Gilmore, Griffin, Hairston, Harris, Heer, Helms, Hightower, Edward Holmes, George Holmes, Bertha Holt, Charles Holt, Hunt, Hunter, Huskins, Hutchins, Hyde, James, Jernigan, Joseph Johnson, Joy Johnson, Jones, Jordan, Josey, Lachot, Lawing, Leonard, Lilley, McMillan, Mason, Mathis, Messer, Michaux, Miller, Morris, Nash, Nesbitt, Oxendine, Parnell, Phillips, Pickler, Plyler, Pugh, Quinn, Ramsey, Ray, Revelle, Rhodes, Rountree, Sandlin, Setzer, Short, Neal Smith, Ned Smith, Wade Smith, Soles, Spoon, Stevens, Stewart, Tally, Tennille, Thomas, Varner, Ward, Watkins, Wiseman, Woodard, and Wright — 104.

Voting in the negative: Representative Cobb.

On motion of Representative Stevens, seconded by Representative Gardner, the House adjourns to reconvene May 11, 1976 at 9:00 A.M.

ONE HUNDRED TWENTY-FOURTH DAY

HOUSE OF REPRESENTATIVES
Tuesday, May 11, 1976

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Dr. Albert G. Edwards, House Chaplain.

Representative Stevens, for the Committee on Rules and Operation of the House, reports the Journal of May 10, 1976 has been examined and found correct. Upon his motion, the Journal is approved as written.

BILLS FILED WITH PRINCIPAL CLERK

The following bills and resolutions are filed in the Office of the Principal Clerk:

By Representatives McMillan, Barnes, Cobb, Duncan, Charles Holt, Lachot, Plyler, Ramsey, Rountree, Sandlin, Wade Smith, and Stewart:

H. J. R. 1321, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER A BILL TO REMOVE UNJUSTIFIED PAPERWORK IN THE ADMINISTRATION OF CRIMINAL PROCEDURE.

By Representatives Sawyer, Davis, DeBruhl, Enloe, Erwin, Gregory, Phillips, Varner, and Webb:

H. J. R. 1322, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND THE CONSTITUTION TO CREATE ELECTED COMMISSIONERS OF UTILITIES.

By Representatives Sawyer, Davis, DeBruhl, Enloe, Erwin, Gregory, Phillips, Varner, and Webb:

H. B. 1323, A BILL TO BE ENTITLED AN ACT TO AMEND ARTICLE III OF THE CONSTITUTION OF NORTH CAROLINA TO CREATE ELECTED COMMISSIONERS OF UTILITIES.

By Representative Neal Smith:

H. B. 1324, A BILL TO BE ENTITLED AN ACT TO INCREASE THE TAX ON CIGARETTES TO FOUR CENTS PER PACK AND TO PROVIDE ADDITIONAL REVENUE FOR THE GENERAL FUND.

FIRST READING AND REFERENCE TO COMMITTEE

The following bills and resolutions are read the first time and referred to committee:

By Representatives McMillan, Barnes, Cobb, Duncan, Charles Holt, Lachot, Plyler, Ramsey, Rountree, Sandlin, Wade Smith, and Stewart:

H. J. R. 1321, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER A BILL TO REMOVE UNJUSTIFIED PAPERWORK IN THE ADMINISTRATION OF CRIMINAL PROCEDURE.

On motion of Representative McMillan, the rules are suspended on a two-thirds majority vote, and the resolution is placed on today's Calendar.

By Representatives Sawyer, Davis, DeBruhl, Enloe, Erwin, Gregory, Phillips, Varner, and Webb:

H. J. R. 1322, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND THE CONSTITUTION TO CREATE ELECTED COMMISSIONERS OF UTILITIES, is referred to the Committee on Rules and Operation of the House.

By Representatives Neal Smith, Bissell, Edwards, Mathis, Nesbitt, Phillips, and Spoon:

H. B. 1324, A BILL TO BE ENTITLED AN ACT TO INCREASE THE TAX ON CIGARETTES TO FOUR CENTS PER PACK AND TO PROVIDE ADDITIONAL REVENUE FOR THE GENERAL FUND, is referred to the Committee on Finance.

On motion of Representative Cook, the vote by which H. J. R. 1304, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND ARTICLE 7 OF CHAPTER 110 OF THE GENERAL STATUTES, ENTITLED "DAY-CARE FACILITIES" TO PROVIDE CHANGES IN THE DEFINITION OF DAY CARE AND TO PROVIDE THAT THE COMMISSION SHALL HAVE THE POWER TO SEEK INJUNCTIVE RELIEF, was placed on the Unfavorable Calendar is reconsidered on a two-thirds majority vote.

On motion of Representative Cook, the rules are suspended, and the bill is placed on today's Calendar.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. J. R. 1285, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ARTHUR WEBSTER THOMAS, JR., A FORMER MEMBER OF THE GENERAL ASSEMBLY.

H. J. R. 1307, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OR SESSIONS OF THE SENATE AND HOUSE OF REPRESENTATIVES TO ACT ON CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION.

CALENDAR

Action is taken on the following:

Committee Substitute for H. B. 1291, A BILL TO BE ENTITLED AN ACT TO CHANGE THE QUARTERLY SYSTEM OF REMITTING STATE PERSONAL INCOME TAX WITHHELD BY EMPLOYERS TO A MONTHLY SYSTEM FOR LARGE EMPLOYERS AND TO PROVIDE FOR UNIFORM MONTHLY FILING DATES, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Auman, Baker, Ballenger, Barbee, Barker, Barnes, Beard, Bissell, Breece, Bright, Bundy, Campbell, Chapin, Chase, Cobb, Cook, Creech, Cullipher, Davenport, DeBruhl, DeRamus, Diamont, Duncan, Eagles, Edwards, Ellis, Enloe, Erwin, Falls, Farmer, Foster, Frye, Gamble, Gardner, Gentry, Gilmore, Gregory, Hairston, Harris, Heer, Helms, Hightower, Edward Holmes, Bertha Holt, Charles Holt, Hunt, Hunter, Huskins, Hyde, James, Jernigan, Joseph Johnson, Joy Johnson, Jordan, Josey, Lachot, Lawing, Leonard, Lilley, Love, Lutz, McMillan, Mason, Mathis, Messer, Michaux, Miller, Morris, Nash, Nesbitt, Oxendine, Parnell, Phillips, Pickler, Plyler, Prestwood, Pugh, Quinn, Ramsey, Ray, Revelle, Rhodes, Rogers, Rountree, Sandlin, Sawyer, Setzer, Short, Neal Smith, Ned Smith, Wade Smith, Stevens, Stewart, Tally, Tennille, Thomas, Tison, Varner, Ward, Watkins, Webb, White, Wiseman, Woodard, and Wright — 106.

Voting in the negative: Representatives Bell, Bumgardner, Dorsey, Griffin, and Hutchins — 5.

H. B. 1299, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 7A-304 AND G. S. 7A-305 TO INCREASE THE COSTS OF COURT IN

THE SUPERIOR COURT AND DISTRICT COURT DIVISIONS OF THE
GENERAL COURT OF JUSTICE.

Representative Ramsey calls the previous question. The call is sustained.

The bill, as amended, passes its second reading by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Auman, Baker, Ballenger, Barker, Barnes, Beard, Bell, Bissell, Breece, Bright, Bumgardner, Bundy, Campbell, Chapin, Chase, Collins, Cook, Creech, Cullipher, Davenport, DeBruhl, DeRamus, Diamont, Dorsey, Duncan, Eagles, Edwards, Ellis, Enloe, Erwin, Falls, Farmer, Foster, Frye, Gamble, Gardner, Gentry, Gregory, Griffin, Hairston, Harris, Helms, Hightower, Edward Holmes, George Holmes, Bertha Holt, Hunt, Hunter, Huskins, Hyde, James, Jernigan, Joseph Johnson, Joy Johnson, Jordan, Josey, Lachot, Lawing, Leonard, Lilley, Love, Lutz, Mason, Mathis, Messer, Michaux, Miller, Morris, Nash, Nesbitt, Parnell, Phillips, Pickler, Plyler, Prestwood, Pugh, Ramsey, Ray, Revelle, Rhodes, Rogers, Rountree, Sandlin, Sawyer, Setzer, Short, Neal Smith, Ned Smith, Wade Smith, Soles, Spoon, Stevens, Stewart, Tally, Tennille, Thomas, Tison, Varner, Ward, Watkins, Webb, White, Wiseman, Woodard, and Wright — 106.

Voting in the negative: Representatives Cobb, Charles Holt, and Hutchins — 3.

H. B. 1303, A BILL TO BE ENTITLED AN ACT TO INCREASE FEE FOR RECEIVING SERVICE OF PROCESS AS STATUTORY AGENT OF A CORPORATION TO RECOVER COST, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Auman, Baker, Ballenger, Barker, Barnes, Beard, Bell, Bissell, Breece, Bright, Bumgardner, Bundy, Campbell, Chapin, Chase, Cobb, Collins, Cook, Creech, Cullipher, Davenport, DeBruhl, DeRamus, Diamont, Dorsey, Duncan, Eagles, Edwards, Ellis, Enloe, Erwin, Falls, Farmer, Foster, Frye, Gamble, Gardner, Gentry, Gregory, Griffin, Hairston, Harris, Helms, Hightower, Edward Holmes, George Holmes, Bertha Holt, Charles Holt, Hunt, Hunter, Huskins, Hutchins, Hyde, James, Jernigan, Joseph Johnson, Joy Johnson, Jordan, Josey, Lachot, Lawing, Leonard, Lilley, Love, Lutz, Mason, Mathis, Messer, Michaux, Miller, Morris, Nash, Nesbitt, Parnell, Phillips, Pickler, Plyler, Prestwood, Pugh, Quinn, Ramsey, Ray, Revelle, Rhodes, Rogers, Rountree, Sandlin, Sawyer, Setzer, Short, Neal Smith, Ned Smith, Wade Smith, Soles, Spoon, Stevens, Stewart, Tally, Tennille, Thomas, Tison, Varner, Ward, Watkins, Webb, White, Wiseman, Woodard, and Wright — 110.

Voting in the negative: None.

H. B. 1310, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES TAX CERTAIN MEALS SOLD TO ELDERLY AND INCAPACITATED PERSONS, passes its second reading, by the following vote, and remains on the Calendar.

Those voting in the affirmative are: Representatives Adams, Auman, Baker, Ballenger, Barker, Barnes, Beard, Bell, Bissell, Breece, Bright, Bumgardner, Bundy, Campbell, Chapin, Chase, Cobb, Collins, Cook, Creech, Cullipher, Davenport, DeBruhl, DeRamus, Diamont, Dorsey, Duncan, Eagles, Edwards, Ellis, Enloe, Erwin, Falls, Farmer, Foster, Frye, Gamble, Gardner, Gentry, Gregory, Griffin, Hairston, Harris, Helms, Hightower, Edward Holmes, George Holmes, Bertha Holt, Charles Holt, Hunt, Hunter, Huskins, Hutchins, Hyde, James, Jernigan, Joseph Johnson, Joy Johnson, Jordan, Josey, Lachot, Lawing, Leonard, Lilley, Love, Lutz, Mason, Mathis, Messer, Michaux, Miller, Morris, Nash, Nesbitt, Parnell, Phillips, Pickler, Plyler, Prestwood, Pugh, Quinn, Ramsey, Ray, Revelle, Rhodes, Rogers, Rountree, Sandlin, Sawyer, Setzer, Short, Neal Smith, Ned Smith, Wade Smith, Soles, Spoon, Stevens, Stewart, Tally, Tennille, Thomas, Tison, Varner, Ward, Watkins, Webb, White, Wiseman, Woodard, and Wright — 110.

Voting in the negative: None.

S. B. 959, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA HEALTH CARE EXCESS LIABILITY FUND.

Representative Miller offers an amendment.

Representative Messer calls for the “ayes” and “noes”, and the call is sustained.

The amendment fails to pass by the following vote.

Those voting in the affirmative are: Representatives Ballenger, Beard, Bissell, Cobb, Collins, DeRamus, Diamont, Dorsey, Edwards, Erwin, Harris, George Holmes, Bertha Holt, Hunt, Hunter, Hutchins, Jones, Lawing, Mathis, Miller, Morris, Rhodes, Rountree, Setzer, Spoon, Stevens, Tennille, and Tison — 28.

Voting in the negative: Representatives Adams, Auman, Baker, Barbee, Barker, Barnes, Breece, Bright, Bundy, Campbell, Chapin, Chase, Cook, Creech, Cullipher, Davenport, Davis, DeBruhl, Duncan, Eagles, Ellis, Enloe, Farmer, Foster, Frye, Gamble, Gentry, Gilmore, Gregory, Hairston, Heer, Hightower, Charles Holt, Huskins, James, Joseph Johnson, Joy Johnson, Jordan, Josey, Lachot, Lilley, Love, Lutz, McMillan, Messer, Michaux, Nash, Nesbitt, Oxendine, Phillips, Pickler, Plyler, Prestwood, Pugh, Quinn, Ramsey, Ray, Rogers, Sandlin, Short, Neal Smith, Wade Smith, Soles, Tally, Thomas, Varner, Ward, Webb, White, Wiseman, Woodard, and Wright — 72.

Representative Campbell offers an amendment.

Representative Messer calls for the “ayes” and “noes”, and the call is sustained.

The amendment fails to pass by the following vote.

Those voting in the affirmative are: Representatives Ballenger, Barbee, Beard, Bell, Bissell, Bumgardner, Campbell, Collins, Davenport, Diamont, Dorsey, Eagles, Edwards, Erwin, Griffin, Helms, George Holmes, Charles

Holt, Hutchins, Jones, Lawing, Mathis, Miller, Morris, Oxendine, Parnell, Setzer, Spoon, Stevens, Tison, and Wright — 31.

Voting in the negative: Representatives Adams, Auman, Baker, Barker, Barnes, Breece, Bright, Bundy, Chapin, Chase, Cook, Creech, Cullipher, DeBruhl, DeRamus, Duncan, Ellis, Enloe, Farmer, Foster, Gamble, Gardner, Gentry, Gilmore, Gregory, Hairston, Harris, Heer, Hightower, Bertha Holt, Hunter, Huskins, James, Joseph Johnson, Joy Johnson, Jordan, Lachot, Leonard, Lilley, Love, Lutz, McMillan, Messer, Nesbitt, Phillips, Pickler, Plyler, Prestwood, Pugh, Quinn, Ramsey, Ray, Rhodes, Rogers, Sandlin, Sawyer, Ned Smith, Wade Smith, Soles, Tally, Tennille, Thomas, Varner, Ward, Webb, White, Wiseman, and Woodard — 68.

Representative Hightower offers an amendment.

A division having been called, the amendment is adopted with 56 members voting in the affirmative and 34 members voting in the negative.

Representative Messer offers an amendment.

Representative Soles moves, seconded by Representative Joseph Johnson, that the amendment do lie upon the table. Representative Messer calls for the “ayes” and “noes”, and the call is sustained. This motion fails by the following vote.

Those voting in the affirmative are: Representatives Adams, Barbee, Bissell, Cook, Creech, Diamont, Erwin, Farmer, Hairston, Helms, Hutchins, Joseph Johnson, Lawing, Leonard, Mathis, Miller, Rhodes, Setzer, Short, Wade Smith, Soles, Tison, and Webb — 23.

Voting in the negative: Representatives Auman, Ballenger, Barker, Barnes, Beard, Bell, Breece, Bright, Bumgardner, Bundy, Campbell, Chapin, Chase, Cobb, Collins, Cullipher, Davenport, DeBruhl, DeRamus, Dorsey, Eagles, Ellis, Enloe, Foster, Frye, Gamble, Gardner, Gentry, Gilmore, Gregory, Griffin, Harris, Heer, Hightower, Edward Holmes, George Holmes, Bertha Holt, Charles Holt, Hunter, Huskins, James, Jernigan, Joy Johnson, Jones, Jordan, Lachot, Lilley, Love, Lutz, McMillan, Mason, Messer, Michaux, Morris, Nesbitt, Oxendine, Parnell, Phillips, Pickler, Plyler, Prestwood, Pugh, Quinn, Ramsey, Ray, Revelle, Rountree, Sandlin, Sawyer, Ned Smith, Spoon, Stevens, Stewart, Tally, Tennille, Thomas, Varner, Watkins, White, Wiseman, Woodard, and Wright — 82.

Representative Messer calls the previous question on his amendment and the call is sustained.

Representative Messer calls for the “ayes” and “noes”, and the call is sustained.

The amendment is adopted by the following vote.

Those voting in the affirmative are: Representatives Ballenger, Barbee, Barker, Barnes, Beard, Bell, Breece, Bright, Bumgardner, Bundy, Campbell, Chapin, Chase, Collins, Cook, Cullipher, DeBruhl, DeRamus, Dorsey, Duncan, Eagles, Edwards, Ellis, Enloe, Foster, Gamble, Gardner, Gentry, Gilmore,

Gregory, Griffin, Harris, Heer, Hightower, Edward Holmes, George Holmes, Bertha Holt, Charles Holt, Hunter, Huskins, James, Jernigan, Joy Johnson, Jones, Jordan, Lachot, Lawing, Lilley, Love, Lutz, McMillan, Mason, Messer, Morris, Nesbitt, Oxendine, Parnell, Phillips, Pickler, Plyler, Prestwood, Pugh, Quinn, Ramsey, Ray, Revelle, Rhodes, Rountree, Sandlin, Sawyer, Setzer, Ned Smith, Stevens, Stewart, Tally, Tennille, Thomas, Varner, Watkins, White, Wiseman, and Woodard — 82.

Voting in the negative: Representatives Adams, Bissell, Cobb, Creech, Diamont, Erwin, Farmer, Frye, Hairston, Hutchins, Joseph Johnson, Leonard, Mathis, Michaux, Miller, Short, Wade Smith, Soles, Spoon, Tison, Webb, and Wright — 22.

Representative Stevens offers an amendment which is adopted.

Representative Messer calls the previous question on the bill, and the call is sustained.

Representative Messer calls for the “ayes” and “noes”, and the call is sustained.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate for concurrence in House amendments.

Those voting in the affirmative are: Representatives Adams, Auman, Ballenger, Barbee, Barker, Barnes, Beard, Bell, Bissell, Breece, Bright, Bumgardner, Bundy, Campbell, Chapin, Chase, Collins, Cook, Creech, Cullipher, Davenport, DeBruhl, DeRamus, Diamont, Dorsey, Duncan, Eagles, Edwards, Ellis, Enloe, Erwin, Farmer, Foster, Frye, Gamble, Gardner, Gentry, Gilmore, Gregory, Griffin, Hairston, Harris, Heer, Helms, Hightower, Edward Holmes, George Holmes, Bertha Holt, Charles Holt, Hunt, Hunter, Huskins, Hutchins, James, Jernigan, Joseph Johnson, Joy Johnson, Jones, Jordan, Josey, Lachot, Lawing, Leonard, Lilley, Love, Lutz, McMillan, Mason, Mathis, Messer, Michaux, Miller, Nesbitt, Phillips, Pickler, Plyler, Prestwood, Pugh, Quinn, Ramsey, Ray, Revelle, Rhodes, Rogers, Rountree, Sandlin, Sawyer, Setzer, Short, Ned Smith, Wade Smith, Soles, Spoon, Stevens, Stewart, Tally, Tennille, Thomas, Tison, Varner, Ward, Watkins, White, Wiseman, Woodard, and Wright — 106.

Voting in the negative: Representative Cobb.

A motion by Representative Ward that the vote by which H. B. 417, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF NAVASSA IN BRUNSWICK COUNTY AND TO CALL A SPECIAL ELECTION ON THE QUESTION OF INCORPORATION, was placed on the Unfavorable Calendar be reconsidered, fails.

H. J. R. 1304, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND ARTICLE 7 OF CHAPTER 110 OF THE GENERAL STATUTES, ENTITLED “DAY-CARE FACILITIES” TO PROVIDE CHANGES IN THE DEFINITION OF DAY CARE AND TO PROVIDE THAT THE COMMISSION SHALL HAVE THE POWER TO SEEK INJUNCTIVE RELIEF.

Representative Cook calls for the "ayes" and "noes", and the call is sustained.

The resolution passes its second reading, by the following vote.

Those voting in the affirmative are: Representatives Adams, Auman, Ballenger, Barbee, Barker, Barnes, Beard, Bell, Bissell, Breece, Bumgardner, Bundy, Campbell, Chapin, Chase, Cobb, Collins, Cook, Creech, Cullipher, Davenport, DeBruhl, DeRamus, Diamont, Dorsey, Duncan, Eagles, Edwards, Ellis, Enloe, Erwin, Farmer, Foster, Frye, Gamble, Gardner, Gentry, Gilmore, Griffin, Hairston, Harris, Heer, Helms, Hightower, Edward Holmes, Bertha Holt, Charles Holt, Hunt, Huskins, Hutchins, James, Jernigan, Joseph Johnson, Joy Johnson, Jones, Jordan, Lachot, Lawing, Leonard, Lilley, Lutz, McMillan, Mason, Mathis, Michaux, Miller, Nash, Nesbitt, Parnell, Phillips, Pickler, Plyler, Prestwood, Pugh, Quinn, Ramsey, Ray, Revelle, Rhodes, Rogers, Rountree, Sandlin, Sawyer, Setzer, Short, Ned Smith, Wade Smith, Soles, Spoon, Stevens, Stewart, Tally, Tennille, Thomas, Tison, Varner, Ward, White, Wiseman, and Woodard — 100.

Voting in the negative: None.

The resolution passes its third reading and is ordered sent to the Senate by Special Message.

H. J. R. 1321, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER A BILL TO REMOVE UNJUSTIFIED PAPERWORK IN THE ADMINISTRATION OF CRIMINAL PROCEDURE, passes its second and third readings and is ordered sent to the Senate by Special Message.

On motion of Representative Stevens, the House recesses until 4:30 p.m.

RECESS

Pursuant to recess, the House is called to order by the Speaker.

MESSAGES FROM THE SENATE

The following are received from the Senate:

H. B. 1293, A BILL TO BE ENTITLED AN ACT TO REVISE AND PROVIDE FOR PROCEDURAL AND SUBSTANTIVE LAWS GOVERNING CLAIMS FOR PROFESSIONAL MALPRACTICE: TO REVISE THE STATUTE OF LIMITATIONS FOR ADULTS AND MINORS; TO PROVIDE FOR A STANDARD OF CARE, A DOCTRINE OF INFORMED CONSENT, AN EXTENSION OF THE GOOD SAMARITAN LAW, AND THE ELIMINATION OF THE AD DAMNUM CLAUSE, is returned for concurrence in six Senate amendments.

On motion of Representative Messer, the House concurs in five Senate amendments.

Representative Messer moves concurrence in the sixth amendment. He calls for the "ayes" and "noes", and the call is sustained.

The House concurs in the sixth Senate amendment, by the following vote, and the bill is ordered enrolled.

Those voting in the affirmative are: Representatives Baker, Barker, Beard, Bell, Bissell, Bright, Bumgardner, Bundy, Chapin, Chase, Cobb, Collins, Cullipher, Davis, DeBruhl, Duncan, Enloe, Falls, Foster, Gamble, Gardner, Gentry, Griffin, Heer, Hunter, Hurst, Huskins, Hyde, James, Jernigan, Joy Johnson, Josey, Lilley, Love, Lutz, Mason, Mathis, Messer, Morris, Nash, Pickler, Plyler, Quinn, Ramsey, Ray, Rhodes, Sandlin, Sawyer, Ned Smith, Spoon, Stewart, Thomas, Varner, Ward, Watkins, White, and Woodard — 57.

Voting in the negative: Representatives Adams, Auman, Ballenger, Barbee, Barnes, Breece, Campbell, Cook, Creech, Davenport, DeRamus, Diamont, Dorsey, Eagles, Edwards, Ellis, Erwin, Farmer, Frye, Gilmore, Hairston, Harris, Helms, Hightower, Edward Holmes, George Holmes, Bertha Holt, Charles Holt, Hunt, Hutchins, Joseph Johnson, Lawing, Leonard, McMillan, Michaux, Miller, Nesbitt, Parnell, Phillips, Prestwood, Pugh, Revelle, Rountree, Setzer, Short, Neal Smith, Wade Smith, Soles, Stevens, Tally, Tennille, Tison, Webb, Wiseman, and Wright — 55.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Stevens for the Committee on Rules and Operation of the House:

H. J. R. 1287, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL ALLOWING FIRE PROTECTION TAX LEVIES TO BE APPROPRIATED IN ORDER TO SUPPLY RESCUE AND AMBULANCE SERVICES, with a favorable report, as amended.

H. J. R. 1294, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO CONSIDER A BILL PROHIBITING RAFFLES AND BINGO IN MECKLENBURG COUNTY, with an indefinite postponement report.

H. J. R. 1300, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND CHAPTER 263 OF THE 1975 SESSION LAWS TO DELETE POLK COUNTY FROM THE MODIFIED SUBDIVISION CONTROL ORDINANCE, with a favorable report.

H. J. R. 1314, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND CHAPTER 657, SESSION LAWS OF 1975 SO AS TO PROVIDE A PROCEDURE FOR A NONPARTISAN ELECTION AND RUN-OFF ELECTION FOR THE DURHAM COUNTY BOARD OF EDUCATION, with a favorable report.

H. J. R. 1316, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO AMEND CHAPTER 346 OF THE 1973 SESSION LAWS TO MAKE SAID CHAPTER APPLY TO THE CITY OF RALEIGH, with a favorable report.

H. J. R. 1322, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND THE CONSTITUTION TO CREATE ELECTED COMMISSIONERS OF UTILITIES, with an unfavorable report.

S. J. R. 960, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO PROVIDE THAT THE DAILY SUBSISTENCE ALLOWANCE OF THE MEMBERS OF THE GENERAL ASSEMBLY FOR ATTENDANCE AT THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, SHALL TERMINATE EFFECTIVE MAY 15, 1976, with an indefinite postponement report.

S. J. R. 964, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OR SESSIONS OF THE SENATE AND HOUSE OF REPRESENTATIVES TO ACT ON CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION, with an unfavorable report.

On motion of Representative Stevens, seconded by Representative Tison, the House adjourns to reconvene May 12, 1976 at 9:00 a.m.

ONE HUNDRED TWENTY-FIFTH DAY

HOUSE OF REPRESENTATIVES
Wednesday, May 12, 1976

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Dr. Albert G. Edwards, House Chaplain.

Representative Stevens for the Committee on Rules and Operation of the House, reports the Journal of May 11, 1976 has been examined and found correct. Upon his motion, the Journal is approved as written.

BILLS FILED WITH PRINCIPAL CLERK

The following bills and resolutions are filed in the Office of the Principal Clerk:

By Representatives Jones, Hunt, and Revelle:

H. B. 1325, A BILL TO BE ENTITLED AN ACT TO REDUCE FROM FOUR PERCENT (4%) TO THREE PERCENT (3%) THE DISCOUNT ALLOWED WHOLESALE DISTRIBUTORS AND IMPORTERS WHO COLLECT THE TAX ON BEER AND WINE.

By Representatives Erwin, DeRamus, Ned Smith, and Tennille:

H. J. R. 1326, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO EXCLUDE SOCIAL SECURITY BENE-

FITS FROM THE DEFINITION OF DISPOSABLE INCOME FOR CERTAIN AD VALOREM TAX PURPOSES.

By Representatives Erwin, DeRamus, Ned Smith, and Tennille:

H. B. 1327, A BILL TO BE ENTITLED AN ACT TO EXCLUDE SOCIAL SECURITY FROM THE DEFINITION OF DISPOSABLE INCOME FOR CERTAIN AD VALOREM TAX PURPOSES.

By Representative Miller:

H. J. R. 1328, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND THE CHARTER OF RALEIGH-DURHAM AIRPORT AUTHORITY TO RAISE THE RATE OF COMPENSATION OF MEMBERS.

By Representative Miller:

H. B. 1329, A BILL TO BE ENTITLED AN ACT TO AMEND THE CHARTER OF RALEIGH-DURHAM AIRPORT AUTHORITY TO RAISE THE RATE OF COMPENSATION OF MEMBERS.

By Representatives Cook, Adams, Hunt, and Joe Johnson:

H. B. 1330, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 105-60 CONCERNING THE PRIVILEGE LICENSE TAX FOR A DAY-CARE FACILITY.

By Representative Ward:

H. J. R. 1331, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO INCORPORATE THE TOWN OF NAVASSA IN BRUNSWICK COUNTY.

By Representatives McMillan, Barnes, DeRamus, Enloe, Erwin, Lachot, Ramsey, Rountree, Sandlin, Short, Ned Smith, Stewart, Varner, and Ward:

H. B. 1332, A BILL TO BE ENTITLED AN ACT TO REMOVE UNJUSTIFIED PAPERWORK IN THE ADMINISTRATION OF CRIMINAL PROCEDURE.

By Representative Ward:

H. B. 1333, A BILL TO BE ENTITLED AN ACT TO INCORPORATE THE TOWN OF NAVASSA IN BRUNSWICK COUNTY.

By Representative Stevens:

H. B. 1334, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INHERITANCE TAX EXEMPTION FOR THE PROPERTY OF A DECEDENT DYING DUE TO COMBAT SERVICE.

FIRST READING AND REFERENCE TO COMMITTEE

The following bills and resolutions are read the first time and referred to committee:

By Representative Jones, Hunt, and Revelle:

H. B. 1325, A BILL TO BE ENTITLED AN ACT TO REDUCE FROM FOUR PERCENT (4%) TO THREE PERCENT (3%) THE DISCOUNT ALLOWED WHOLESALE DISTRIBUTORS AND IMPORTERS WHO COLLECT THE TAX ON BEER AND WINE, is referred to the Committee on Finance.

By Representatives Erwin, DeRamus, Ned Smith, and Tennille:

H. J. R. 1326, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO EXCLUDE SOCIAL SECURITY BENEFITS FROM THE DEFINITION OF DISPOSABLE INCOME FOR CERTAIN AD VALOREM TAX PURPOSES, is referred to the Committee on Rules and Operation of the House.

By Representative Miller:

H. J. R. 1328, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND THE CHARTER OF RALEIGH-DURHAM AIRPORT AUTHORITY TO RAISE THE RATE OF COMPENSATION OF MEMBERS, is referred to the Committee on Rules and Operation of the House.

By Representatives Cook, Adams, Hunt, and Joe Johnson:

H. B. 1330, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 105-60 CONCERNING THE PRIVILEGE LICENSE TAX FOR A DAY-CARE FACILITY, is referred to the Committee on Finance.

By Representative Ward:

H. J. R. 1331, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO INCORPORATE THE TOWN OF NAVASSA IN BRUNSWICK COUNTY, is referred to the Committee on Rules and Operation of the House.

By Representative Stevens:

H. B. 1334, A BILL TO BE ENTITLED AN ACT TO PROVIDE AN INHERITANCE TAX EXEMPTION FOR THE PROPERTY OF A DECEDENT DYING DUE TO COMBAT SERVICE, is referred to the Committee on Finance.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

May 11, 1976

Mr. Speaker:

It is ordered that a message be sent your Honorable Body with the information that the Senate fails to concur in the House amendment No. 12 to S. B. 959, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA HEALTH CARE EXCESS LIABILITY FUND, and requests conferees. The President has appointed Senators Barker, Britt,

and Jernigan on the part of the Senate to confer with a like committee appointed by the House to the end that the differences arising may be adjusted.

Respectfully,
S/ ROY ROWE
Principal Clerk

The Speaker appoints Representatives Lilly, Gamble, and Hightower as conferees on the part of the House and the Senate is so notified by Special Message.

CALENDAR

Action is taken on the following:

Committee Substitute for H. B. 1291, A BILL TO BE ENTITLED AN ACT TO CHANGE THE QUARTERLY SYSTEM OF REMITTING STATE PERSONAL INCOME TAX WITHHELD BY EMPLOYERS TO A MONTHLY SYSTEM FOR LARGE EMPLOYERS AND TO PROVIDE FOR UNIFORM MONTHLY FILING DATES, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Auman, Baker, Ballenger, Barbee, Barker, Barnes, Bissell, Breece, Bright, Bundy, Campbell, Chapin, Chase, Collins, Creech, Cullipher, Davenport, Davis, DeBruhl, DeRamus, Diamont, Duncan, Eagles, Edwards, Ellis, Enloe, Erwin, Falls, Farmer, Foster, Frye, Gamble, Gardner, Gentry, Gilmore, Gregory, Hairston, Harris, Herr, Helms, Bertha Holt, Charles Holt, Hunter, Hurst, Huskins, Hyde, James, Jernigan, Joseph Johnson, Joy Johnson, Jones, Jordan, Josey, Lachot, Lawing, Leonard, Lilley, Lutz, McMillan, Messer, Michaux, Miller, Morris, Nash, Nesbitt, Parnell, Phillips, Pickler, Plyler, Prestwood, Pugh, Quinn, Ramsey, Ray, Revelle, Rhodes, Rogers, Rountree, Sandlin, Sawyer, Schwartz, Setzer, Neal Smith, Ned Smith, Wade Smith, Spoon, Stevens, Stewart, Tennille, Thomas, Tison, Varner, Ward, Webb, White, Wiseman, Woodard, and Wright — 99.

Voting in the negative: Representatives Bell, Bumgardner, Dorsey, Griffin, George Holmes, and Hutchins — 6.

H. B. 1299, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 7A-304 AND G. S. 7A-305 TO INCREASE THE COSTS OF COURT IN THE SUPERIOR COURT AND DISTRICT COURT DIVISIONS OF THE GENERAL COURT OF JUSTICE.

The bill, as amended, passes its third reading, by the following vote, and is ordered sent to the Senate, without engrossment, by Special Message.

Those voting in the affirmative are: Representatives Adams, Auman, Baker, Ballenger, Barbee, Barker, Barnes, Bell, Bissell, Breece, Bright, Bumgardner, Bundy, Campbell, Chapin, Chase, Collins, Cook, Creech, Cullipher, Davenport, Davis, DeBruhl, DeRamus, Diamont, Dorsey, Duncan, Eagles, Edwards, Ellis, Enloe, Erwin, Falls, Farmer, Foster, Frye, Gamble,

Gardner, Gentry, Gilmore, Gregory, Griffin, Hairston, Harris, Heer, Helms, Hightower, George Holmes, Bertha Holt, Hunter, Hurst, Huskins, Hyde, James, Jernigan, Joseph Johnson, Joy Johnson, Jones, Jordan, Josey, Lachot, Lawing Leonard, Lilley, Love, Lutz, McMillan, Messer, Michaux, Miller, Morris, Nash, Nesbitt, Parnell, Phillips, Pickler, Plyler, Prestwood, Pugh, Quinn, Ramsey, Ray, Revelle, Rhodes, Rogers, Rountree, Sandlin, Sawyer, Schwartz, Setzer, Neal Smith, Ned Smith, Wade Smith, Spoon, Stevens, Stewart, Tennille, Thomas, Tison, Varner, Ward, Webb, White, Wiseman, Woodard, and Wright — 106.

Voting in the negative: Representatives Charles Holt, and Hutchins — 2.

H. B. 1303, A BILL TO BE ENTITLED AN ACT TO INCREASE FEE FOR RECEIVING SERVICE OF PROCESS AS STATUTORY AGENT OF A CORPORATION TO RECOVER COST, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Auman, Baker, Ballenger, Barbee, Barker, Barnes, Bell, Bissell, Breece, Bright, Bumgardner, Bundy, Campbell, Chapin, Chase, Collins, Cook, Creech, Cullipher, Davenport, Davis, DeBruhl, DeRamus, Diamont, Dorsey, Duncan, Eagles, Edwards, Ellis, Enloe, Erwin, Falls, Farmer, Foster, Frye, Gamble, Gardner, Gentry, Gilmore, Gregory, Griffin, Hairston, Harris, Heer, Helms, Hightower, George Holmes, Bertha Holt, Charles Holt, Hunter, Hurst, Huskins, Hutchins, Hyde, James, Jernigan, Joseph Johnson, Joy Johnson, Jones, Jordan, Josey, Lachot, Lawing, Leonard, Lilley, Love, Lutz, McMillan, Messer, Michaux, Miller, Morris, Nash, Nesbitt, Parnell, Phillips, Pickler, Plyler, Prestwood, Pugh, Quinn, Ramsey, Ray, Revelle, Rhodes, Rogers, Rountree, Sandlin, Sawyer, Schwartz, Setzer, Neal Smith, Ned Smith, Wade Smith, Spoon, Stevens, Stewart, Tennille, Thomas, Tison, Varner, Ward, Webb, White, Wiseman, Woodard, and Wright — 108.

Voting in the negative: None.

H. B. 1310, A BILL TO BE ENTITLED AN ACT TO EXEMPT FROM SALES TAX CERTAIN MEALS SOLD TO ELDERLY AND INCAPACITATED PERSONS, passes its third reading, by the following vote, and is ordered sent to the Senate by Special Message.

Those voting in the affirmative are: Representatives Adams, Auman, Baker, Ballenger, Barbee, Barker, Barnes, Bell, Bissell, Breece, Bright, Bumgardner, Bundy, Campbell, Chapin, Chase, Collins, Cook, Creech, Cullipher, Davenport, Davis, DeBruhl, DeRamus, Diamont, Dorsey, Duncan, Eagles, Edwards, Ellis, Enloe, Erwin, Falls, Farmer, Foster, Frye, Gamble, Gardner, Gentry, Gilmore, Gregory, Griffin, Hairston, Harris, Heer, Helms, Hightower, George Holmes, Bertha Holt, Charles Holt, Hunter, Hurst, Huskins, Hutchins, Hyde, James, Jernigan, Joseph Johnson, Joy Johnson, Jones, Jordan, Josey, Lachot, Lawing, Leonard, Lilley, Love, Lutz, McMillan, Messer, Michaux, Miller, Morris, Nash, Nesbitt, Parnell, Phillips, Pickler, Plyler, Prestwood, Pugh, Quinn, Ramsey, Ray, Revelle, Rhodes, Rogers, Rountree, Sandlin, Sawyer, Schwartz, Setzer, Neal Smith, Ned Smith, Wade

Smith, Spoon, Stevens, Stewart, Tennille, Thomas, Tison, Varner, Ward, Webb, White, Wiseman, Woodard, and Wright — 108.

Voting in the negative: None.

H. J. R. 1287, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL ALLOWING FIRE PROTECTION TAX LEVIES TO BE APPROPRIATED IN ORDER TO SUPPLY RESCUE AND AMBULANCE SERVICES.

On motion of Representative Stevens, the committee amendment is withdrawn.

Representative Hyde offers an amendment which is adopted.

Representative Hyde calls the previous question. The call is sustained.

The bill, as amended, passes its second and third readings, by a two-thirds majority vote, and is ordered sent to the Senate, without engrossment, by Special Message.

On motion of Representative Ward, the rules are suspended and H. J. R. 1331, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO INCORPORATE THE TOWN OF NAVASSA IN BRUNSWICK COUNTY, is removed from the Committee on Rules and Operation of the House and is placed on the Calendar for immediate consideration on a two-thirds majority vote.

The bill passes its second and third readings, by a two-thirds majority vote, and is ordered sent to the Senate by Special Message.

H. J. R. 1300, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND CHAPTER 263 OF THE 1975 SESSION LAWS TO DELETE POLK COUNTY FROM THE MODIFIED SUBDIVISION CONTROL ORDINANCE, passes its second and third readings, by a two-thirds majority vote, and is ordered sent to the Senate by Special Message.

H. J. R. 1314, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND CHAPTER 657, SESSION LAWS OF 1975 SO AS TO PROVIDE A PROCEDURE FOR A NONPARTISAN ELECTION AND RUN-OFF ELECTION FOR THE DURHAM COUNTY BOARD OF EDUCATION, passes its second and third readings, by a two-thirds majority vote, and is ordered sent to the Senate by Special Message.

H. J. R. 1316, A JOINT RESOLUTION AUTHORIZING THE 1975 GENERAL ASSEMBLY, SECOND SESSION 1976, TO AMEND CHAPTER 346 OF THE 1973 SESSION LAWS TO MAKE SAID CHAPTER APPLY TO THE CITY OF RALEIGH, passes its second and third readings, by a two-thirds majority vote, and is ordered sent to the Senate by Special Message.

On motion of Representative Stevens, the House recesses until 4:30 p.m.

RECESS

Pursuant to recess, the House is called to order by the Speaker.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 1293, AN ACT TO REVISE AND PROVIDE FOR PROCEDURAL AND SUBSTANTIVE LAWS GOVERNING CLAIMS FOR PROFESSIONAL MALPRACTICE: TO REVISE THE STATUTE OF LIMITATIONS FOR ADULTS AND MINORS; TO PROVIDE FOR A STANDARD OF CARE, A DOCTRINE OF INFORMED CONSENT, AN EXTENSION OF THE GOOD SAMARITAN LAW, AND THE ELIMINATION OF THE AD DAMNUM CLAUSE.

Representative Lilley sends forth the following Conference Report and moves its adoption.

CONFERENCE REPORT

Senate Bill 959

To the President of the Senate and the Speaker of the House of Representatives:

We, your conferees appointed to resolve the differences arising between the Senate and House of Representatives on Senate Bill 959, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA HEALTH CARE EXCESS LIABILITY FUND, wish to report as follows:

AMENDMENT 12. (Representative Hightower — amends the bill on page 5, lines 6 through 8.)

The Conference Committee recommends joint acceptance of modification of the amendment to be rewritten as follows:

Amend the bill on page 5 line 5, by inserting between the word "Commissioner" and the word "and", the words "the State Auditor,".

To this end, the conferees recommend that the Senate and House of Representatives adopt the foregoing report.

This the 12th day of May, 1976.

Conferees for the Senate

S/ BOB L. BARKER

S/ LUTHER J. BRITT, JR.

S/ GLENN R. JERNIGAN

*Conferees for the House
of Representatives*

S/ JOHN R. GAMBLE, JR.
S/ FOYLE HIGHTOWER, JR.
S/ DANIEL T. LILLEY

The Conference Report is adopted and the Senate is so notified by Special Message.

On motion of Representative Stevens, seconded by Representative Collins, the House adjourns to reconvene May 13, 1976 at 9:00 a.m.

ONE HUNDRED TWENTY-SIXTH DAY

HOUSE OF REPRESENTATIVES
Thursday, May 13, 1976

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Dr. Albert G. Edwards, House Chaplain.

Representative Stevens, for the Committee on Rules and Operation of the House, reports the Journal of May 12, 1976 has been examined and found correct. Upon his motion, the Journal is approved as written.

The Speaker appoints Mr. Emory D. Stephens of Charlotte, North Carolina to serve as a member of the newly created House Movers Licensing Board, effective May 13, 1976 through June 30, 1977.

THE RECEIVING OF PETITIONS, MEMORIALS AND PAPERS ADDRESSED TO THE GENERAL ASSEMBLY OR TO THE HOUSE

Representative Ned Smith sends forth a Resolution from the North Carolina Fifth District Democratic Convention, and the Speaker orders that it be filed in the Office of the Principal Clerk.

BILLS FILED WITH PRINCIPAL CLERK

The following bills and resolutions are filed in the Office of the Principal Clerk:

By Representatives Gentry, Collins and Diamont:

H. J. R. 1335, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND G. S. 14-111.1, 14-111.2, AND 14-111.3 CONCERNING AMBULANCE SERVICES, TO INCLUDE ASHE COUNTY.

By Representatives Gentry, Collins and Diamont:

H. B. 1336, A BILL TO BE ENTITLED AN ACT TO AMEND G. S. 14-111.1, 14-111.2 AND 14-111.3 CONCERNING AMBULANCE SERVICES, TO INCLUDE ASHE COUNTY.

By Representative Jordan:

H. J. R. 1337, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO RAISE THE MINIMUM WAGE TO TWO DOLLARS AND THIRTY CENTS (\$2.30) PER HOUR.

By Representatives Jordan and Duncan:

H. B. 1338, A BILL TO BE ENTITLED AN ACT TO RAISE THE MINIMUM WAGE TO TWO DOLLARS AND THIRTY CENTS (\$2.30) PER HOUR.

FIRST READING AND REFERENCE TO COMMITTEE

The following bills and resolutions are read the first time and referred to committee:

By Representatives Gentry, Collins and Diamont:

H. J. R. 1335, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO AMEND G. S. 14-111.1, 14-111.2, AND 14-111.3 CONCERNING AMBULANCE SERVICES, TO INCLUDE ASHE COUNTY.

Representative Gentry moves to suspend the rules to the end that the resolution may be placed on the Calendar for immediate consideration.

A division having been called, the motion carries by a two-thirds majority, with 62 members voting in the affirmative and 24 members voting in the negative.

The resolution passes its second and third readings, by a two-thirds majority vote, and is ordered sent to the Senate by Special Message.

By Representatives Jordan and Duncan:

H. J. R. 1337, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO RAISE THE MINIMUM WAGE TO TWO DOLLARS AND THIRTY CENTS (\$2.30) PER HOUR.

A motion by Representative Jordan to suspend the rules to the end that the resolution may be placed on the Calendar for immediate consideration, fails.

The resolution is referred to the Committee on Finance.

A motion of Representative Erwin to suspend the rules in order that H. J. R. 1326, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO EXCLUDE SOCIAL SECURITY BENEFITS FROM THE DEFINITION OF DISPOSABLE INCOME FOR CERTAIN AD VALOREM TAX PURPOSES, be removed from the Committee on Rules

and Operation of the House and placed on the Calendar for immediate consideration, fails.

On motion of Representative Stevens, the House recesses until 2:00 p.m.

RECESS

Pursuant to recess, the House is called to order by the Speaker.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER
May 13, 1976

Mr. Speaker:

Pursuant to your message that the House of Representatives has adopted the report of the Conferees on S. B. 959, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA HEALTH CARE EXCESS LIABILITY FUND, the Senate, having taken a similar action, orders the bill enrolled.

Respectfully,
S/ ROY ROWE
Principal Clerk

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 959, AN ACT TO CREATE THE NORTH CAROLINA HEALTH CARE EXCESS LIABILITY FUND.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Messer for the Committee on Insurance:

H. B. 425, A BILL TO BE ENTITLED AN ACT TO BE KNOWN AS THE NORTH CAROLINA MOTOR VEHICLE ACCIDENT REPARATIONS AND NO-FAULT INSURANCE ACT, with an indefinite postponement report.

H. B. 1311, A BILL TO BE ENTITLED AN ACT TO CREATE THE NORTH CAROLINA HEALTH CARE EXCESS LIABILITY FUND, with an indefinite postponement report.

S. B. 956, A BILL TO BE ENTITLED AN ACT TO REVISE AND PROVIDE FOR PROCEDURAL AND SUBSTANTIVE LAWS GOVERNING CLAIMS FOR PROFESSIONAL MALPRACTICE: TO REVISE THE STATUTE OF LIMITATIONS FOR ADULTS AND MINORS; TO PROVIDE FOR A STANDARD OF CARE, A DOCTRINE OF INFORMED

CONSENT, AN EXTENSION OF THE GOOD SAMARITAN LAW, AND THE ELIMINATION OF THE AD DAMNUM CLAUSE, with an indefinite postponement report.

On motion of Representative Stevens, the House recesses until 4:00 p.m.

RECESS

Pursuant to recess, the House is called to order by the Speaker.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

May 13, 1976

Mr. Speaker:

Pursuant to H. J. R. 1307, A JOINT RESOLUTION PROVIDING FOR A JOINT SESSION OR SESSIONS OF THE SENATE AND HOUSE OF REPRESENTATIVES TO ACT ON CONFIRMATION OF APPOINTMENTS MADE BY THE GOVERNOR TO MEMBERSHIP ON THE NORTH CAROLINA UTILITIES COMMISSION, the Senate stands ready to repair to the Hall of the House, there to sit in today's Joint Session with your Honorable Body.

Respectfully,
S/ ROY ROWE
Principal Clerk

The Speaker orders a message sent to the Senate advising that Honorable Body that the House stands ready to receive them in Joint Session.

JOINT SESSION

Pursuant to resolution heretofore adopted, and exchange of messages, the Sergeant-at-Arms of the House announces the arrival of the Senate at the door of the House. The Speaker directs the admittance and seating of that Honorable Body. The President of the Senate, the Honorable James B. Hunt, Jr., is seated to the right of the Speaker and is presented the gavel.

The Joint Assembly is called to order by the President. The Clerk of the Senate calls the roll of the Senate to establish a quorum and the following members answer the call:

Senators Alexander, Alford, Allsbrook, Bahakel, Barker, Britt, Childers, Combs, Crawford, Daniels, Davis, Garrison, Gudger, Hardison, Harrington, Harris, Henley, Hill, Jernigan, Kincaid, Kirby, Lackey, Marion, Mauney, McDuffie, Mills, Nye, Odom, Palmer, Rauch, Renfrow, Royall, Scott, Sebo, Lynwood Smith, McNeill Smith, William Smith, Stallings, Strickland, Suddarth, Totherow, Vickery, Walker, Walsh, Webster, Whichard, White, and Winters — 48.

The Clerk of the House of Representatives calls the roll of the House to establish a quorum and the following members answer the call:

Representatives Adams, Auman, Baker, Ballenger, Barbee, Barker, Barnes, Beard, Bell, Bissell, Breece, Bright, Bumgardner, Bundy, Campbell, Chapin, Chase, Cobb, Collins, Cook, Creech, Cullipher, Davenport, Davis, DeBruhl, DeRamus, Diamont, Dorsey, Duncan, Eagles, Edwards, Ellis, Enloe, Erwin, Falls, Farmer, Foster, Frye, Gamble, Gentry, Gilmore, Gregory, Griffin, Hairston, Harris, Heer, Helms, Hightower, Edward Holmes, George Holmes, Bertha Holt, Charles Holt, Hunt, Hunter, Hurst, Huskins, Hutchins, Hyde, James, Jernigan, Joseph Johnson, Joy Johnson, Jones, Jordan, Josey, Lachot, Lawing, Leonard, Lilley, Love, Lutz, McMillan, Mason, Mathis, Messer, Michaux, Miller, Morris, Nash, Nesbitt, Oxendine, Phillips, Pickler, Plyler, Prestwood, Pugh, Quinn, Ramsey, Ray, Revelle, Rhodes, Rogers, Rountree, Sandlin, Sawyer, Schwartz, Setzer, Short, Neal Smith, Ned Smith, Wade Smith, Soles, Spoon, Stevens, Stewart, Tally, Tennille, Thomas, Varner, Ward, Watkins, Webb, White, Wiseman, Woodard, and Wright — 116.

A quorum of each House being declared present, the Joint Session proceeds with the business for which it has convened.

The President orders the following letter read:

May 3, 1976

The Honorable James B. Hunt, Jr.
President of the Senate
North Carolina General Assembly
Raleigh, North Carolina

The Honorable James C. Green
Speaker of the House of Representatives
North Carolina General Assembly

Gentlemen:

Pursuant to G. S. 62-10(f), I submit my appointments to fill vacancies on the State Utilities Commission, for confirmation by the General Assembly in joint session:

1. W. Lester Teal, Jr.
Raleigh, North Carolina
(To fill an unexpired term created by the resignation of Commissioner George W. Clark, effective June 30, 1976, for a term to expire June 30, 1981.)
2. Winfield Scott Harvey
Raleigh, North Carolina
(To fill a vacancy created by the resignation of W. Lester Teal, Jr. to fill a 1981 term, the term to expire June 30, 1977.)

3. Ms. Patricia Shaver Locke

Box 4363

Charlotte, North Carolina

(To fill a vacancy created by the resignation of Commissioner Marvin R. Wooten, the term to expire June 30, 1977.)

Sincerely,

S/ JAMES E. HOLSHOUSER, JR.

Governor

Senator Webster, Chairman of the Senate Committee on Public Utilities, is recognized and he submits the following report:

Mr. President:

In compliance with the provisions of Chapter 243 of the 1975 Session Laws that nominees to fill positions on the Utilities Commission shall be subject to confirmation by the General Assembly in Joint Session, Governor Holshouser has submitted for confirmation by the General Assembly the following names:

Mr. W. Lester Teal, Jr. (To fill an unexpired term created by the resignation of Commissioner George W. Clark, effective June 30, 1976, for a term to expire June 30, 1981)

Mr. Winfield Scott Harvey (To fill a vacancy created by the resignation of W. Lester Teal, Jr. to fill a 1981 term, the term to expire June 30, 1977)

Ms. Patricia Shaver Locke (To fill a vacancy created by the resignation of Commissioner Marvin R. Wooten, the term to expire June 30, 1977)

Pursuant to H. J. R. 1307 the Senate Committee on Public Utilities has considered the nominees and makes the following recommendation to this Joint Session:

That the nomination of Mr. W. Lester Teal, Jr. to fill an unexpired term created by the resignation of Commissioner George W. Clark not be confirmed.

That since the position for which Mr. Harvey was nominated will not be vacated, that is the position being held by Mr. Teal, the Committee takes no action as to Mr. Harvey.

That the nomination of Ms. Patricia Shaver Locke not be confirmed.

Respectfully submitted.

S/ WESLEY D. WEBSTER

Representative Miller, Chairman of the House Committee on Public Utilities, is recognized and he submits the following report:

May 13, 1976

Mr. President:

In compliance with the provisions of Chapter 243 of the 1975 Session Laws that nominees to fill positions on the Utilities Commission shall be subject to confirmation by the General Assembly in Joint Session, Governor Holshouser has submitted for confirmation by the General Assembly the following names:

Mr. W. Lester Teal, Jr. (To fill an unexpired term created by the resignation of Commissioner George W. Clark, effective June 30, 1976, for a term to expire June 30, 1981)

Mr. Winfield Scott Harvey (To fill a vacancy created by the resignation of W. Lester Teal, Jr. to fill a 1981 term, the term to expire June 30, 1977)

Ms. Patricia Shaver Locke (To fill a vacancy created by the resignation of Commissioner Marvin R. Wooten, the term to expire June 30, 1977)

Pursuant to H. J. R. 1307 the House Committee on Public Utilities has considered the nominees and makes the following recommendation to this Joint Session:

That the nomination of Mr. W. Lester Teal, Jr. to fill an unexpired term created by the resignation of Commissioner George W. Clark not be confirmed.

That since the position for which Mr. Harvey was nominated will not be vacated, that is the position being held by Mr. Teal, the Committee takes no action as to Mr. Harvey.

That the nomination of Ms. Patricia Shaver Locke not be confirmed.

Respectfully submitted.

S/ GEORGE W. MILLER, JR.

Chairman

House Public Utilities Committee

Senator Webster moves that the nomination of W. Lester Teal, Jr., not be confirmed.

Representative Miller moves that the nomination of W. Lester Teal, Jr., not be confirmed.

The President announces that the rolls of both Houses will be called and that the totals will not be announced until after both bodies have voted.

The motion that the nomination of W. Lester Teal not be confirmed carries by the following vote of the Senate membership:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Bahakel, Barker, Britt, Childers, Combs, Daniels, Davis, Garrison, Gudger, Hardison, Harrington, Harris, Henley, Hill, Jernigan, Kirby, Lackey, Marion, McDuffie, Nye, Odom, Palmer, Renfrow, Royall, Scott, Sebo, Lynwood Smith, William Smith, Stallings, Strickland, Suddarth, Totherow, Vickery, Walker, Walsh, Webster, Whichard, White, and Winters — 42.

Voting in the negative — None.

The motion that the nomination of W. Lester Teal not be confirmed carries by the following vote of the House membership:

Those voting in the affirmative are: Representatives Adams, Auman, Baker, Barbee, Barker, Barnes, Beard, Breece, Bright, Bumgardner, Bundy, Campbell, Chapin, Chase, Collins, Cook, Creech, Cullipher, Davenport, Davis, DeBruhl, DeRamus, Diamont, Duncan, Eagles, Edwards, Ellis, Enloe, Erwin, Falls, Farmer, Foster, Frye, Gentry, Gilmore, Gregory, Griffin, Hairston, Harris, Heer, Helms, Hightower, Edward Holmes, Bertha Holt, Charles Holt, Hunt, Hunter, Hurst, Huskins, Hyde, James, Jernigan, Joseph Johnson, Joy Johnson, Jones, Jordan, Josey, Lachot, Lawing, Leonard, Lilley, Love, Lutz, McMillan, Mason, Messer, Michaux, Miller, Morris, Nash, Nesbitt, Oxendine, Phillips, Pickler, Plyler, Prestwood, Pugh, Quinn, Ramsey, Ray, Revelle, Rogers, Rountree, Sandlin, Sawyer, Schwartz, Setzer, Short, Neal Smith, Ned Smith, Wade Smith, Soles, Stevens, Stewart, Tally, Tennille, Thomas, Varner, Ward, Watkins, Webb, White, Wiseman, Woodard, and Wright — 105.

Voting in the negative: Representatives Ballenger, Bell, Bissell, George Holmes, Hutchins, Mathis, Rhodes, and Spoon — 8.

The President rules that no action is required on the appointment of Winfield Scott Harvey as no vacancy is created as the result of the previous vote taken by the Senate and House on confirmation of W. Lester Teal, Jr.

Senator Webster moves that the nomination of Patricia Shaver Locke not be confirmed.

Representative Miller moves that the nomination of Patricia Shaver Locke not be confirmed.

The motion of Senator Webster that the nomination of Patricia Shaver Locke not be confirmed carries by the following vote of the Senate membership:

Those voting in the affirmative are: Senators Alexander, Alford, Allsbrook, Barker, Britt, Childers, Combs, Daniels, Garrison, Gudger, Hardison, Harrington, Henley, Hill, Jernigan, Kirby, Lackey, Marion, Mauney, McDuffie, Moore, Nye, Odom, Palmer, Renfrow, Royall, Scott, Lynwood Smith, McNeill Smith, William Smith, Stallings, Suddarth, Totherow, Vickery, Walker, Walsh, Webster, Whichard, White, and Winters — 40.

Voting in the negative: Senators Bahakel, Davis, Harris, Sebo, and Strickland — 5.

The motion of Representative Miller that the nomination of Patricia Shaver Locke not be confirmed carries by the following vote of the House membership.

Those voting in the affirmative are: Representatives Adams, Auman, Baker, Barbee, Barker, Barnes, Beard, Bell, Breece, Bright, Bumgardner, Bundy, Campbell, Chapin, Chase, Collins, Cook, Creech, Cullipher, Davenport,

Davis, DeBruhl, Diamont, Duncan, Eagles, Ellis, Enloe, Erwin, Farmer, Frye, Gentry, Gilmore, Gregory, Hairston, Harris, Heer, Helms, Hightower, Edward Holmes, Bertha Holt, Hunt, Hunter, Hurst, Huskins, Hyde, James, Jernigan, Joseph Johnson, Joy Johnson, Jordan, Josey, Lachot, Lawing, Leonard, Lilley, Love, Lutz, McMillan, Mason, Messer, Michaux, Miller, Morris, Nash, Nesbitt, Phillips, Pickler, Plyler, Prestwood, Pugh, Quinn, Ramsey, Ray, Revelle, Rogers, Rountree, Sandlin, Sawyer, Schwartz, Setzer, Short, Neal Smith, Ned Smith, Wade Smith, Soles, Stevens, Stewart, Tally, Tennille, Thomas, Varner, Ward, Watkins, Webb, White, Woodard, and Wright — 97.

Voting in the negative: Representatives Ballenger, Bissell, DeRamus, Edwards, Foster, Griffin, George Holmes, Charles Holt, Mathis, Oxendine, Rhodes, Spoon, and Wiseman — 13.

The President orders a message be sent to the Governor advising him of the action of this Joint Session.

On motion of Senator Henley, the Joint Session is dissolved and the Senate returns to the Senate Chamber.

On motion of Representative Stevens, seconded by Representative Lilley, the House adjourns to reconvene May 14, 1976, at 9:00 a.m.

ONE HUNDRED TWENTY-SEVENTH DAY

HOUSE OF REPRESENTATIVES
Friday, May 14, 1976

The House meets pursuant to adjournment and is called to order by the Speaker.

Prayer is offered by Dr. Albert G. Edwards, House Chaplain.

Representative Stevens for the Committee on Rules and Operation of the House, reports the Journal of May 13, 1976, has been examined and found correct. Upon his motion, the Journal is approved as written.

BILLS FILED WITH PRINCIPAL CLERK

The following bills and resolutions are filed in the Office of the Principal Clerk:

By Representative Green:

H. J. R. 1339, A JOINT RESOLUTION HONORING THE 1976 MASTERS GOLF TOURNAMENT CHAMPION, NORTH CAROLINIAN RAYMOND FLOYD.

By Representative Jordan:

H. J. R. 1340, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO LIMIT THE ANNUAL INCREASE IN THE NUMBER OF STATE EMPLOYEES.

By Representative Jordan:

H. B. 1341, A BILL TO BE ENTITLED AN ACT TO LIMIT THE ANNUAL INCREASE IN THE NUMBER OF STATE EMPLOYEES.

FIRST READING AND REFERENCE TO COMMITTEE

The following bills and resolutions are read the first time and referred to committee:

By Representatives Quinn, and Plyler:

H. J. R. 1286, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ARTHUR WEBSTER THOMAS, JR., A FORMER MEMBER OF THE GENERAL ASSEMBLY FROM CABARRUS COUNTY.

On motion of Representative Quinn, the rules are suspended by a two-thirds majority vote, and the resolution is placed before the House for immediate consideration.

The resolution passes its second and third readings, by a two-thirds majority vote, and is ordered sent to the Senate by Special Message.

Representative Quinn moves that when the House adjourns it do so in honor and memory of Art Thomas.

The Speaker orders the following poem entered into today's Journal.

ON THE RESOLUTION HONORING THE
LATE ART THOMAS, FORMER MEMBER OF THE HOUSE

From Buncombe to Cabarrus,
Moved a man that we called Art,
An active, energetic legislator
Who kept the horse before the cart.

He devoted his attention
To economic matters,
And was not particularly known
For saying things that flatters.

He could see through an issue,
And digest it well.
And if there were flaws in his opinion,
You knew that he would tell.

And though we all shall miss him,
I know that we are ready

To move on to even greater things
With the aid of his wife, Betty.

She'll take her place in
These hallowed halls,
And vote her conscience too;
An inspiration, we hope, to all of us,
A better job to do.

BY REPRESENTATIVE HENRY E. FRYE
May 14, 1976

FIRST READING AND REFERENCE TO COMMITTEE (CONTINUED)

The following bills and resolutions are read the first time and referred to committee:

By Representative Green:

H. J. R. 1339, A JOINT RESOLUTION HONORING THE 1976 MASTERS GOLF TOURNAMENT CHAMPION, NORTH CAROLINIAN RAYMOND FLOYD, is referred to the Committee on Rules and Operation of the House.

By Representative Jordan:

H. J. R. 1340, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL TO LIMIT THE ANNUAL INCREASE IN THE NUMBER OF STATE EMPLOYEES, is referred to the Committee on Rules and Operation of the House.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. B. 1291, AN ACT TO CHANGE THE QUARTERLY SYSTEM OF REMITTING STATE PERSONAL INCOME TAX WITHHELD BY EMPLOYERS TO A MONTHLY SYSTEM FOR LARGE EMPLOYERS AND TO PROVIDE FOR UNIFORM MONTHLY FILING DATES.

H. B. 1299, AN ACT TO AMEND G. S. 7A-304 AND G. S. 7A-305 TO INCREASE THE COSTS OF COURT IN THE SUPERIOR COURT AND DISTRICT COURT DIVISIONS OF THE GENERAL COURT OF JUSTICE.

H. B. 1303, AN ACT TO INCREASE FEE FOR RECEIVING SERVICE OF PROCESS AS STATUTORY AGENT OF A CORPORATION TO RECOVER COST.

H. B. 1310, AN ACT TO EXEMPT FROM SALES TAX CERTAIN MEALS SOLD TO ELDERLY AND INCAPACITATED PERSONS.

On motion of Representative Stevens, the House recesses until 2:00 p.m. or upon the call of the Chair.

RECESS

Pursuant to recess the House is called to order by the Speaker at 1:00 p.m.

REPORT OF COMMITTEES

The following reports from standing committees are presented:

By Representative Love for the Committee on Appropriations:

Committee Substitute for H. B. 1290, A BILL TO BE ENTITLED AN ACT TO MODIFY CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS FOR NORTH CAROLINA STATE GOVERNMENT FOR THE FISCAL YEAR 1976-77, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, with an unfavorable report as to bill, favorable as to committee substitute bill.

On motion of Representative Love, the substitute bill is adopted.

On motion of Representative Love, the rules are suspended and the bill is placed before the House for immediate consideration.

Representative Nesbitt offers an amendment.

Representative Nesbitt calls for the "ayes" and "noes", and the call is sustained.

The amendment fails by the following vote:

Those voting in the affirmative are: Representatives Bell, Cobb, Cullipher, DeBruhl, Diamont, Dorsey, Enloe, Gentry, Griffin, Charles Holt, Hunter, Hutchins, Jones, Jordan, Nesbitt, Ramsey, Rhodes, Sandlin, Sawyer, Watkins, and Wiseman — 21.

Voting in the negative: Representatives Adams, Auman, Baker, Ballenger, Barker, Barnes, Beard, Breece, Bright, Bumgardner, Bundy, Campbell, Chapin, Chase, Collins, Cook, Creech, Davenport, Davis, DeRamus, Duncan, Eagles, Ellis, Erwin, Falls, Farmer, Foster, Frye, Gamble, Gardner, Gilmore, Gregory, Hairston, Harris, Heer, Helms, Hightower, Edward Holmes, Bertha Holt, Hunt, Huskins, Hyde, James, Jernigan, Joseph Johnson, Joy Johnson, Josey, Lachot, Lawing, Leonard, Lilley, Love, Lutz, McMillan, Mason, Messer, Michaux, Miller, Morris, Nash, Parnell, Phillips, Pickler, Plyler, Prestwood, Pugh, Quinn, Ray, Revelle, Rogers, Rountree, Schwartz, Setzer, Short, Neal Smith, Ned Smith, Wade Smith, Soles, Spoon, Stevens, Stewart, Tally, Tennille, Thomas, Tison, Varner, Ward, White, Woodard, and Wright — 90.

Representative Michaux offers an amendment.

On motion of Representative Love, seconded by Representative Lachot, the amendment is tabled.

On motion of Representative Love, H. B. 1290 is temporarily displaced in order that a Message from the Senate may be read.

MESSAGES FROM THE SENATE

The following are received from the Senate:

Committee Substitute for S. B. 954, A BILL TO BE ENTITLED AN ACT TO MODIFY CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS FOR NORTH CAROLINA STATE GOVERNMENT FOR THE FISCAL YEAR 1976-77, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE, is read the first time.

On motion of Representative Love the rules are suspended, and the bill is placed before the House for immediate consideration.

The bill passes its second and third readings and is ordered enrolled.

Representative Dorsey requests that he be recorded as voting "no" on this bill.

On motion of Representative Love, H. B. 1290 is postponed indefinitely.

FIRST READING AND REFERENCE TO COMMITTEE

The following bills and resolutions are read the first time and referred to committee:

By Representative Stevens:

H. J. R. 1342, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE GENERAL ASSEMBLY ON FRIDAY, MAY 14, 1976, AT 4:00 P.M.

On motion of Representative Stevens, the rules are suspended, by a two-thirds majority vote, and the resolution is placed before the House for immediate consideration.

The resolution passes its second and third readings, by a two-thirds majority vote, and is ordered sent to the Senate by Special Message.

ENROLLED BILLS

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

S. B. 954, AN ACT TO MODIFY CURRENT OPERATIONS AND CAPITAL IMPROVEMENTS APPROPRIATIONS FOR NORTH CAROLINA STATE GOVERNMENT FOR THE FISCAL YEAR 1976-77, AND TO MAKE OTHER CHANGES IN THE BUDGET OPERATION OF THE STATE.

H. J. R. 1287, A JOINT RESOLUTION AUTHORIZING THE CONSIDERATION OF A BILL ALLOWING FIRE PROTECTION TAX LEVIES TO BE APPROPRIATED IN ORDER TO SUPPLY RESCUE AND AMBULANCE SERVICES.

On motion of Representative Hyde, the rules are suspended, by a two-thirds majority vote, and H. B. 1288, A BILL TO BE ENTITLED AN ACT TO AUTHORIZE THE APPROPRIATION OF FUNDS RAISED FROM TAXES LEVIED IN RURAL FIRE PROTECTION DISTRICTS TO BE APPLIED IN PROVIDING RESCUE AND AMBULANCE SERVICES WITHIN SAID DISTRICTS, AND TO VALIDATE ANY SUCH FUNDS PREVIOUSLY SO APPROPRIATED, is placed before the House for immediate consideration.

The bill passes its second and third readings and is ordered sent to the Senate by Special Message.

ENROLLED BILLS (CONTINUED)

The following are properly enrolled, duly ratified, and sent to the office of the Secretary of State:

H. J. R. 1286, A JOINT RESOLUTION HONORING THE LIFE AND MEMORY OF ARTHUR WEBSTER THOMAS, JR., A FORMER MEMBER OF THE GENERAL ASSEMBLY FROM CABARRUS COUNTY.

H. J. R. 1342, A JOINT RESOLUTION PROVIDING FOR ADJOURNMENT SINE DIE OF THE GENERAL ASSEMBLY ON FRIDAY, MAY 14, 1976, AT 4:00 P.M.

REMARKS BY SPEAKER JAMES C. GREEN

"At this time on the Chair's own motion, I should like to express my gratitude to all of you for your having allowed me to serve as your Speaker in what has been not only a most pleasing assignment, but a great challenge. I sincerely thank each of you for the opportunity that has been mine. I commend each of you, individually, and I commend you collectively, for the very keen, and very rare, dedication of your labors on behalf of all of the people of our great State of North Carolina. At the outset of the 1975-76 Session, I stood here and I insisted that all of the Committee Chairmen deal with every matter that came before their respective committees firmly, fairly and expeditiously. I stand here again today to commend all of you for having competently discharged those responsibilities most admirably.

"The very gracious and generous manner in which you have dealt with me as your Speaker certainly has been heartwarming and gratifying, to say the least.

"Today, again I thank you on behalf of my entire family for your generosity which you expressed so beautifully on Wednesday night of this week at our Love Feast. We shall always treasure and enjoy the handsome and very elegant silver service which you presented to us. I personally will enjoy wearing the very smart, colorful and patriotic coats and ties which were given me by you as soon as Craig Lawing gets the right size.

"I want you to know, too, that I shall always treasure each and every kind word and words of encouragement that have been spoken to me by you, as well as the many nice letters and notes I have received from you members during this Session. I know, you must know, that they mean very much to me.

"In chatting with the Honorable Secretary of State, Thad Eure, he has estimated that since I first came to the General Assembly in 1961, I have served with some 450 or more separate individuals from across this great State. This has been a most rewarding experience for me. Having heard some comments from other members today, along these lines, I guess the full realization is just beginning to strike me, that today, barring any unforeseen difficulties which might require a Special Session of this General Assembly, this, May the Fourteenth, 1976, will be the final day of my service as a member of this General Assembly, since after 16 years I did indeed finally state publicly that I would not be a candidate for re-election to the House of Representatives from the 19th House District in North Carolina. I do hope and expect, however, to continue the fast friendships which I have had the privilege and honor of enjoying here.

"I say thank you — and I thank you for all of your support — all of your help — all of your love — and, yes, for all of your constructive criticism which has served to spur me to try to be what you would expect and want your Speaker to be.

"I shall continue to walk humbly with my God, with the hope that we may all continue to be blessed, beyond our ability to ask. Thank you."

The Speaker orders a message sent to the Senate informing that Honorable Body that the House of Representatives has concluded its business.

SPECIAL MESSAGE FROM THE SENATE

SENATE CHAMBER

May 14, 1976

Mr. Speaker:

You are respectfully advised that the business of the Senate has been concluded and that Body will be ready to open the doors of the Senate immediately upon receipt of information from your Honorable Body that you are ready to open your doors, that the gavels may fall simultaneously and adjournment may be declared sine die.

Respectfully,
S/ ROY ROWE
Principal Clerk

On motion of Representative Stevens, seconded by Representative Quinn, and pursuant to the information contained in the exchange of messages between the Senate and the House of Representatives and the joint resolution heretofore passed, and in memory of Arthur Webster Thomas, Jr., the doors of the House are ordered opened.

The President of the Senate is perceived standing, ready to let fall the gavel. The Speaker sounds the gavel and declares the House of Representatives of the 1975-76 Session of the General Assembly of North Carolina adjourned sine die.

GRACE A. COLLINS
Principal Clerk

APPENDIX

The President of the Senate is pleased to receive from the House of Representatives the report of the Committee on the Judiciary, which is in accordance with the resolution of the House of Representatives, passed on the 10th day of May, 1918, relating to the case of the United States vs. the Citizens of the United States, et al.

That the President of the Senate is pleased to receive from the House of Representatives the report of the Committee on the Judiciary, which is in accordance with the resolution of the House of Representatives, passed on the 10th day of May, 1918, relating to the case of the United States vs. the Citizens of the United States, et al.

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REPORT OF THE COMMITTEE ON THE JUDICIARY

COMMITTEE ON THE JUDICIARY

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APPENDIX

PRAYERS OFFERED TO THE HOUSE OF REPRESENTATIVES 1976 by Dr. Albert G. Edwards

Monday, May 3, 1976

Eternal Father, without Whom nothing is holy and no one is internally strong, we thank Thee for the ancient promise, "In thy going out and coming in I will be with thee." As these men and women have come once more to the assembly room of legislative actions Thou knowest the responsibilities which confront them. We know that to give employees what they deserve is impossible, for the State could never pay what some deserve, and if others get what they deserve they could not exist. Grant wisdom to these Legislators that they may therefore do what is just but what is also in keeping with our state's financial resources. A difficult decision, Lord, for these men and women to make, but prove again that man's extremity is God's opportunity. In Jesus' Name. Amen.

Tuesday, May 4, 1976

Almighty God, it's mostly the same old faces, but that can't be all bad, for we remember that you are the same God and there is comfort in the constant. Because You are the same and there is no variance or change, as we look ahead we gain confidence from remembrance of the past; a remembrance which recalls to mind Thy steadfast mercies, and enables us to say with the Prophet Jeremiah, "This I recall to mind and therefore I have hope."

The prayer we offer in our Saviour's name, Amen.

Wednesday, May 5, 1976

Soverign God, Thou who art able to do exceedingly more than we can ever ask or think, empower these men and women to be

cheerful when things go wrong
serene when things are irritating
perservering when things are difficult
hopeful when things are disappointing
resourceful when others are at their wits' end, and alert when
others are dull and dozy.

It seems like a lot to ask, our Father, but can we ever ask too much from One who brought from the dead our Saviour and Lord, Jesus Christ?

In His Name we pray. Amen.

Thursday, May 6, 1976

Loving God and helpful Father, if ever there was a virtue for whose possession we need to pray, is it not the virtue of understanding.

Our prayer is that these men and women may understand why some employees of the state clamor for greater compensation. They are human and needs and wants ever multiply and increase and money is the prime source of satisfaction; and yet we never get enough for enough is always just a little more than we now have.

We ask understanding, our Father, by employees of the State, that they may come to see that a State cannot give what it does not have without inviting fiscal disaster or jeopardizing needed services that other agencies render.

Great God, restore within all of us the spirit of the Apostle who said, "I have learned in whatsoever state I am therewith to be content," and help us to discover that this is possible when we know that when we have enough to live for we are not too concerned about what we have to live on. In Jesus' Name, Amen.

Monday, May 10, 1976

Gracious and most generous God we receive much for which we do not work — gifts such as the unfailing recurrence of night and day. Yet we know that for most of us the night is for the rest and the day is for work; and again these men and women return to work, and with Thy help may it be with renewed strength, keen minds and warm hearts. As they listen, ponder, and participate may they remember that in a democracy the elected representatives are the servants and not the masters of the people.

Our prayer we offer in the name of the Christ who came to serve all mankind, Amen.

Tuesday, May 11, 1976

Great God, our help in ages past, our hope for years to come, and our life and strength for this present day, we thank Thee that we assemble in a place which is a marvelous monument to man's dreams and skills and labors.

Our earnest prayer would be that what happens in this place may be a magnificent monument to the vision, honesty, and selflessness of the men and women who represent here the citizens of this State.

In the name of Jesus. Amen.

Wednesday, May 12, 1976

O matchless God, whose truth endureth to all generations, there are times when we wish we could vote to suspend the moral rules of the universe so that we could sow and not worry about the crop. However, we do live in a world where we are accountable not only for our deeds but also for our

words; so help these men and women to choose well their words and determine wisely their actions that on the day of ultimate accountability it will be possible to say to them, "Well done, faithful servant."

Our prayer is offered in the name of the servant Christ, Amen.

Thursday, May 13, 1976

We thank You, Father in Heaven, that our prayers do not have to go through the Senate for they might be killed before they get to You.

We thank You that we come to you through Jesus Christ; this Jesus who knew

the strain of daily toil
the burden of decision making
the loneliness of honesty,

but who also knew the joy of being able to say to You, "I have glorified your name."

To all in this House who seek that same joy may there be granted the companionship and the encouragement of this Jesus.

In His Name we pray, Amen.

Friday, May 14, 1976

Matchless and Almighty God, we recall the words: "The earth is the Lord's and the fullness thereof, the world and they that dwell therein." But these men and women are more than tenants they are also trustees; trustees of place and power given them by the citizens of their districts.

As they confront the issues of a new day they will discover anew that there are no simple solutions only intelligent choices. By their honest, unselfish and intelligent choices may they prove anew to the people of their State that they are not as dumb as some people say they are.

We pray in the name of Him who once was considered dumb, but whom time has proved to be wise, Jesus the Christ, Amen.

BILLS AND RESOLUTIONS INTRODUCED BY MEMBERS 1976

ADAMS, ALLEN

Nos. 1286, 1297, 1304, 1308, 1310, 1313, 1330.

AUMAN, T. CLYDE

No. 1289.

BAKER, T. J.

Nos. 1286, 1289.

BALLENGER, T. CASS

Nos. 1286, 1289, 1308, 1312.

BARBEE, ALLEN C.

Nos. 1286, 1289.

BARKER, CHRIS S., JR.

Nos. 1286, 1289.

BARNES, HENSON, P.

Nos. 1286, 1308, 1321.

BEARD, R. D.

Nos. 1286, 1289, 1308.

BELL, E. GRAHAM

Nos. 1286, 1289, 1292, 1293, 1308.

BISSELL, MARILYN R.

Nos. 1289, 1312, 1324.

BREECE, GEORGE W.

Nos. 1286, 1289, 1308.

BRIGHT, JOE L.

No. 1308.

BUMGARDNER, DAVID W. JR.

Nos. 1286, 1289.

BUNDY, SAM D.

No. 1286.

CAMPBELL, A. HARTWELL

Nos. 1286, 1289, 1308.

CHAPIN, HOWARD B.

Nos. 1286, 1289, 1308.

CHASE, MRS. NANCY

Nos. 1286, 1289, 1293, 1308.

COBB, LAURENCE A.

No. 1321.

- COLLINS, P. C., JR.
Nos. 1289, 1308, 1335.
- COOK, RUTH E.
Nos. 1286, 1304, 1308, 1310, 1313, 1316, 1330.
- CREECH, WILLIAM A.
Nos. 1289, 1304, 1308, 1310, 1313, 1316.
- CULLIPHER, GEORGE P.
Nos. 1286, 1289, 1308.
- DAVENPORT, JOHN ED
Nos. 1286, 1299, 1303.
- DAVIS, GILBERT R.
Nos. 1286, 1289, 1308, 1313, 1322.
- DEBRUHL, CLAUDE
Nos. 1289, 1308, 1322.
- DERAMUS, JUDSON D., JR.
Nos. 1293, 1304, 1308, 1312, 1326.
- DIAMONT, DAVID H.
No. 1335.
- DORSEY, FRED R.
Nos. 1286, 1293, 1306, 1308, 1312.
- DUNCAN, CONRAD R.
Nos. 1289, 1308, 1321, 1337.
- EAGLES, LARRY P.
No 1286.
- EDWARDS, JAMES H.
Nos. 1286, 1289, 1308, 1319, 1324.
- ELLIS, T. W., JR.
Nos. 1286, 1308.
- ENLOE, JEFF H., JR.
Nos. 1286, 1308, 1322.
- ERWIN, RICHARD C.
Nos. 1285, 1286, 1304, 1308, 1322, 1326.
- FALLS, ROBERT Z.
Nos. 1286, 1293, 1308.
- FARMER, ROBERT L.
Nos. 1304, 1310, 1313, 1316.
- FOSTER, JO GRAHAM
Nos. 1286, 1289, 1293, 1294, 1308.
- FRYE, HENRY E.
No. 1286.

GAMBLE, JOHN R., JR.

Nos. 1286, 1289, 1292, 1293.

GARDNER, J. M.

Nos. 1286, 1289, 1308.

GENTRY, J. WORTH

Nos. 1289, 1308, 1335.

GILMORE, THOMAS O.

No. 1286.

GREGORY, CARSON

Nos. 1289, 1308, 1322.

GRIFFIN, MRS. DILLARD

Nos. 1286, 1308.

GREEN, JAMES C.

Nos. 1286, 1339.

HAIRSTON, PETER W.

No. 1286.

HARRIS, W. S., JR.

Nos. 1286, 1308, 1313.

HEER, LEO

No. 1286.

HELMS, H. PARKS

Nos. 1286, 1294, 1308.

HIGHTOWER, FOYLE

No. 1286.

HOLMES, EDWARD S.

No. 1289.

HOLMES, GEORGE M.

Nos. 1286, 1289, 1308, 1312, 1319.

HOLT, BERTHA

No. 1308.

HOLT, CHARLES

Nos. 1286, 1289, 1308, 1321.

HUNT, PATRICIA S.

Nos. 1308, 1313, 1325, 1330.

HUNTER, THOMAS B.

Nos. 1286, 1289.

HURST, WILDA

Nos. 1286, 1289, 1308.

HUSKINS, J. P.

Nos. 1286, 1289.

HUTCHINS, FRED S., JR.

Nos. 1304, 1308, 1312.

HYDE, HERBERT L.

Nos. 1287, 1288, 1308.

JAMES, VERNON G.

Nos. 1286, 1289, 1293, 1308.

JERNIGAN, ROBERTS H., JR.

Nos. 1286, 1289, 1308.

JOHNSON, JOY J.

Nos. 1289, 1313.

JOHNSON, JOSEPH E.

Nos. 1286, 1304, 1308, 1310, 1313, 1316, 1330.

JONES, ROBERT A.

Nos. 1289, 1300, 1306, 1308, 1325.

JORDAN, JOHN M.

Nos. 1337, 1340.

JOSEY, C. KITCHIN

Nos. 1286, 1289.

LACHOT, W. H., JR.

Nos. 1286, 1308, 1321.

LAWING, CRAIG

Nos. 1286, 1294, 1308.

LEONARD, LARRY E.

No. 1286.

LILLEY, DANIEL T.

Nos. 1286, 1289, 1308, 1311.

LOVE, JIMMY L.

Nos. 1290, 1308.

LUTZ, MRS. EDITH

Nos. 1286, 1293, 1308.

McMILLAN, WILLIAM H.

No. 1321.

MASON, RONALD E.

Nos. 1289, 1308.

MATHIS, CAROLYN

Nos. 1312, 1324.

MESSER, ERNEST B.

Nos. 1289, 1292, 1293, 1311.

MICHAUX, H. M., JR.

No. 1308.

MILLER, GEORGE

Nos. 1292, 1295, 1304, 1306, 1307, 1308, 1314, 1328.

MORRIS, GLENN A.

Nos. 1286, 1289, 1308.

NASH, ROBIE L.

Nos. 1286, 1289.

NESBITT, MARY C.

Nos. 1289, 1293, 1308, 1324.

OXENDINE, HENRY WARD

No. 1308

PARNELL, DAVID R.

Nos. 1286, 1308.

PHILLIPS, CHARLES W.

Nos. 1286, 1308, 1322.

PICKLER, MRS. JANET

Nos. 1289, 1308.

PLYLER, AARON W.

Nos. 1285, 1286, 1321.

PRESTWOOD, RALPH

Nos. 1286, 1289, 1308.

PUGH, J. T.

No. 1286.

QUINN, DWIGHT W.

Nos. 1286, 1289.

RAMSEY, LISTON B.

Nos. 1286, 1289, 1291, 1293, 1299, 1303, 1304, 1308, 1321.

RAY, HECTOR

Nos. 1286, 1289, 1293, 1308.

REVELLE, J. GUY, SR.

Nos. 1289, 1308, 1325.

RHODES, S. THOMAS

Nos. 1286, 1312.

ROGERS, BOBBY W.

Nos. 1286, 1308.

ROUNTREE, H. HORTON
Nos. 1286, 1308, 1321.

SANDLIN, HUGH C.
Nos. 1286, 1289, 1308, 1321.

SAWYER, THOMAS B.
Nos. 1286, 1289, 1306, 1308, 1315, 1322.

SCHWARTZ, B. D.
Nos. 1286, 1289, 1292, 1293, 1308.

SETZER, FRANCES E.
Nos. 1286, 1296.

SHORT, W. M.
No. 1286.

SMITH, NED R.
Nos. 1304, 1306, 1308, 1313, 1326.

SMITH, A. NEAL
Nos. 1289, 1291, 1324.

SMITH, WADE
Nos. 1289, 1304, 1308, 1313, 1316, 1321.

SOLES, R. C., JR.
Nos. 1289, 1308.

SPOON, ROY
Nos. 1289, 1308, 1312, 1324.

STEVENS, JOHN S.
No. 1342.

STEWART, CARL
Nos. 1286, 1289, 1308, 1321.

TALLY, LURA
Nos. 1289, 1308, 1313.

TENNILLE, MARGARET
Nos. 1289, 1304, 1308, 1326.

THOMAS, BETTY DORTON
Nos. 1289, 1308.

TISON, BEN
Nos. 1289, 1294, 1308.

VARNER, JOHN
Nos. 1286, 1289, 1308, 1322.

WARD, ALLEN C.
Nos. 1286, 1308, 1331.

WATKINS, WILLIAM T.
Nos. 1286, 1289, 1308.

WEBB, CHARLIE
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No. 1289.

ADDENDUM

It will be noted that a number of bills and resolutions passed second reading and then were read a third time on the same day.

Rule 41 (b) states:

No bill shall be read more than once in the same day, without the concurrence of two-thirds ($\frac{2}{3}$) of the members present and voting.

In order to comply with this Rule, no bill which had passed its second reading is read a third time except:

- (1) When a member moves that the Rule be suspended, and this motion carries by at least a two-thirds vote of the members present.
- (2) When the Chair determines that there is no objection from any member present. This constitutes unanimous consent of those members present that Rule 41 (b) be suspended.

In these cases, the bill is read a third time.

GRACE A. COLLINS
Principal Clerk

**APPOINTMENTS MADE BY SPEAKER OF THE
HOUSE OF REPRESENTATIVES
JAMES C. GREEN — 1975-1976**

	<i>Appointed</i>	<i>Term</i>
1. ADVISORY BUDGET COMMISSION		
— G. S. 143-4		
Rep. Liston B. Ramsey	2/24/75	Not specified
Rep. Jimmy L. Love	2/24/75	Not specified
Rep. William T. Watkins	2/24/75	Not specified
Rep. Sam D. Bundy	2/24/75	Not specified
2. AGING, COUNCIL ON —		
G. S. 143B-181		
Rep. Leo Heer	5/28/75	6/30/76
(Reappointed)	7/1/76	6/30/80
Mrs. Lila C. Melvin	5/28/75	6/30/78
3. ARCHAEOLOGICAL ADVISORY COMMITTEE — G. S. 143B-66		
Rep. Richard Wright	8/25/75	Four years
4. AREA INMATE LABOR COMMISSION — SB 605		
Rev. J. Edwin Wayland	1/15/76	Four years
Mr. Kyle Grasty	1/15/76	Four years
Ferd Harrison	1/15/76	Four years
Mrs. Mary Faye Shires	1/15/76	Four years
I. Murchison Biggs	1/15/76	Four years
Joe Pell	1/15/76	Four years
5. CAPITAL BUILDING AUTHORITY—		
G. S. 129-40		
Rep. William A. Creech	9/3/75	Two years
6. CAPITAL PLANNING COMMISSION		
— G. S. 129-31		
Rep. Roberts H. Jernigan, Jr.	8/25/75	Two years
Rep. Wade M. Smith	8/25/75	Two years
Rep. Thomas B. Sawyer	8/25/75	Two years
Rep. James Edwards	12/1/75	Two years
(appointed to fill the unexpired term of Rep. Art Thomas)		
7. CHILDREN WITH SPECIAL NEEDS, COMMISSION ON — G. S. 120-58		
Rep. Benjamin D. Schwartz	7/21/75	Until successor appointed
Rep. Clyde Auman	7/21/75	Until successor appointed
Rep. Vernon G. James	7/21/75	Until successor appointed

	<i>Appointed</i>	<i>Term</i>
8. CHILDREN AND YOUTH COUNCIL, GOVERNOR'S ADVOCACY — G. S. 143B-187		
Rep. Patricia Hunt	8/4/75	Two years
Rep. Lura S. Tally	8/4/75	Two years
9. COMPUTER CENTERS (STUDY FEASIBILITY OF STATE- OPERATED COMPUTER CENTERS FOR COUNTY & CITY GOVERNMENTS) — HJR 338		
Rep. W. Craig Lawing	8/5/75	Not specified
10. CRIME STUDY COMMISSION — G. S. 143-521		
Rep. Ben Tison	8/26/75	Two years
Perry Martin	8/26/75	Two years
Rep. E. Graham Bell	8/26/75	Two years
11. CRIMINAL JUSTICE EDUCATION AND TRAINING COUNCIL — SB 534		
Rep. R. C. Soles, Jr.	8/27/75	One year
12. DISCIPLINARY HEARING COMMISSION — G. S. 84-28.1		
Phillip I. Ellen	7/24/75	One year
13. DRUG COMMISSION, NORTH CAROLINA — HB 1247		
Rep. Chris S. Barker, Jr.	7/18/75	Two years
14. EDUCATION COMMISSION OF THE STATES — G. S. 115-349		
Rep. Jo Graham Foster	8/22/75	Not specified
15. EDUCATIONAL SERVICES FOR EXCEPTIONAL CHILDREN, COUNCIL ON — G. S. 115.11.7		
Rep. E. Graham Bell	7/1/76	Two years
Rep. Addison Neal Smith	7/1/76	Two years
16. ELECTRONIC VOTING		
Rep. Edward S. Holmes	6/3/76	
Rep. Robert L. Farmer	6/3/76	
Rep. Pat Griffin	6/3/76	
17. ENERGY POLICY COUNCIL — SB 943		
Rep. Jack Gardner	7/16/75	1/31/77
Rep. Charles Holt	7/16/75	1/31/77
18. GENERAL STATUTES COMMISSION — G. S. 164-14		
Rep. Robert L. Farmer	8/27/75	Two years

	<i>Appointed</i>	<i>Term</i>
19. GOVERNMENTAL OPERATIONS, JOINT LEGISLATIVE COMMISSION ON — SB 773		
Rep. W. Craig Lawing	8/19/75	Two years
Rep. Marilyn Bissell	8/19/75	Two years
Rep. Liston B. Ramsey	8/19/75	Two years
Rep. William T. Watkins	8/19/75	Two years
Rep. John Ed Davenport	8/19/75	Two years
20. BOARD OF GOVERNORS — NORTH CAROLINA HEALTH CARE EXCESS LIABILITY FUND — G. S. 58-254.23		
Mr. Ralph E. Jennings, Director Memorial Mission Hospital	6/10/76	Four years
Richard G. Roach, Administrator Betsy Johnson Memorial Hospital	6/10/76	Two years
21. HOUSE MOVERS LICENSING BOARD — G. S. 136-44.30		
Frazier Cartret	7/1/75	6/30/77
Emory D. Stephens (Appointed to serve the unexpired term of George D. Beam, Jr.)	5/13/76	6/30/77
22. HOUSING FINANCE AGENCY BOARD OF DIRECTORS — G. S. 122A-4		
Williams E. Arant, Jr.	7/18/75	Four years
Rep. W. S. Harris, Jr. (Reappointed)	5/12/75 6/12/76	6/12/76 Two years
Rep. E. Graham Bell (Reappointed)	5/12/75 6/12/76	6/12/76 Two years
A. P. Carlton	7/1/76	6/30/80
23. HUMAN TISSUE DONATION PROGRAM — G. S. 130-235.2		
Rep. Nancy Chase	8/28/75	Not specified
24. INAUGURAL CEREMONIES COMMITTEE — HB 1228		
Rep. Allen Barbee	7/1/76	Inaugural plan- ning period
Rep. Wade Smith	7/1/76	Inaugural plan- ning period
Rep. William T. Watkins	7/1/76	Inaugural plan- ning period

	<i>Appointed</i>	<i>Term</i>
25. INTERSTATE COOPERATION, COUNCIL ON — G. S. 143-178		
Rep. Larry P. Eagles	8/14/75	Two years
Rep. W. Craig Lawing	8/14/75	Two years
Rep. John S. Stevens	8/14/75	Two years
26. JUDICIAL COUNCIL — G. S. 7A-400		
Rep. Bobby Wayne Rogers	7/23/75	Two years
Rep. H. Parks Helms	7/23/75	Two years
27. LAND POLICY COUNCIL — G. S. 113A-153		
Rep. Robert A. Jones	7/18/75	Not specified
28. LEGISLATIVE ETHICS COMMITTEE SB 147		
Rep. LeRoy P. Spoon, Jr.	7/18/75	Until expiration of General Assembly terms
Rep. Fred S. Hutchins, Jr.	7/18/75	Until expiration of General Assembly terms
Rep. Robert Z. Falls	7/18/75	Until expiration of General Assembly terms
Rep. John Ed Davenport	7/18/75	Until expiration of General Assembly terms
Rep. Robert A. Jones	1/5/76	Until expiration of General Assembly terms
29. LEGISLATIVE RESEARCH COMMISSION — HB 296		
Rep. Glenn A. Morris	8/4/75	Until 1977 Session
Rep. Liston B. Ramsey	8/4/75	Until 1977 Session
Rep. Hector E. Ray	8/4/75	Until 1977 Session
Rep. J. Guy Revelle, Sr.	8/4/75	Until 1977 Session
Rep. Thomas B. Sawyer	8/4/75	Until 1977 Session

	<i>Appointed</i>	<i>Term</i>
30. LEGISLATIVE SERVICES		
COMMISSION — G. S. 120-31		
Rep. W. Craig Lawing	Jan. 1975	Until successor appointed
Rep. Robert Z. Falls	Oct. 1975	Until successor appointed
Rep. William T. Watkins	Jan. 1975	Until successor appointed
Rep. Claude DeBruhl	Jan. 1975	Until successor appointed
Rep. Liston B. Ramsey	Jan. 1975	Until successor appointed
Rep. John Ed Davenport	6/9/76	Until successor appointed
31. MENTAL HEALTH CARE STUDY		
COMMISSION — SB 508		
Rep. Chris S. Barker, Jr.	8/15/75	7/1/77
Rep. Robie L. Nash	8/15/75	7/1/77
Rep. Nancy Chase	8/15/75	7/1/77
32. MILK COMMISSION — G. S. 106-266.7		
F. Rockwell Poisson	4/22/75	6/30/78
Russell Davenport	4/22/75	6/30/79
33. MOTOR VEHICLE DEALERS'		
ADVISORY BOARD — G. S. 20-305.4		
David K. Clark	8/20/75	Three years
Roy Mashburn	8/20/75	Three years
Carl L. Stewart	10/3/75	6/30/76
(Reappointed)	7/1/76	Three years
34. PROFESSIONAL LIABILITY		
INSURANCE STUDY COMMISSION		
— G. S. 623 (HB 567)		
Rep. Benjamin D. Schwartz	9/23/75	Until termination of Commission
Rep. Ernest B. Messer	9/23/75	Until termination of Commission
Rep. Thomas B. Sawyer	9/23/75	Until termination of Commission
Rep. John R. Gamble, Jr.	9/23/75	Until termination of Commission

	<i>Appointed</i>	<i>Term</i>
34. PROFESSIONAL LIABILITY INSURANCE STUDY COMMISSION — G. S. 623 (HB 567) (Continued)		
Robert R. Martin	9/23/75	Until termination of Commission
Bernard H. Parker	9/23/75	Until termination of Commission
35. PROPERTY TAX COMMISSION — G. S. 143B-223		
C. Don Langston	9/29/75	Four years
36. PROPERTY TAX SYSTEM STUDY COMMISSION — HJR 1074		
Rep. J. Worth Gentry	11/13/75	Not specified
Rep. Robert A. Jones	11/4/75	Not specified
Harold Long	11/4/75	Not specified
Roy Stewart	11/4/75	Not specified
Rep. W. Stanford White	11/13/75	Not specified
David Drummond	11/10/75	Not specified
Dr. W. E. Robbins	11/13/75	Not specified
37. PUBLIC SCHOOL ADMINISTRATION STUDY COMMISSION — G. S. 875		
Rep. E. Graham Bell	9/5/75	Not specified
Rep. George Cullipher	9/5/75	Not specified
Rep. Thomas B. Hunter	9/5/75	Not specified
Howard Manning, Sr.	9/5/75	Not specified
Rep. Mary C. Nesbitt	9/5/75	Not specified
Dr. Jerry Paschal, Supt.	9/5/75	Not specified
Dean B. Westmoreland	9/5/75	Not specified
38. RETIREMENT SYSTEM'S BOARD OF TRUSTEES — G. S. 135-6		
Rep. Claude DeBruhl	1/28/75	1/11/77
39. SCHOOL LAWS RECODIFICATION COMMISSION — SB 533		
Rep. Wilda H. Hurst	8/11/75	Not specified
Rep. Ned R. Smith	12/1/75	Not specified
Rep. A. Hartwell Campbell	8/11/75	Not specified
40. SMALL BUSINESS STUDY COMMISSION — SJR 575		
Paul Morgan	1/29/76	2/1/77
L. D. Jones	2/25/76	2/1/77

	<i>Appointed</i>	<i>Term</i>
41. SOLID WASTE RECYCLING, ADVISORY COUNCIL ON — G. S. 130-166.35		
Rep. Charles Holt	8/21/75	Not specified
Lee Carey	8/21/75	Not specified
Charles F. Green	8/21/75	Not specified
Robert S. Hopson	8/21/75	Not specified
Humbert H. Rand	8/21/75	Not specified
42. SOUTHERN GROWTH POLICIES BOARD — G. S. 143-492		
Rep. Ronald Earl Mason	2/24/75	Not specified
43. STATE PORTS AUTHORITY — G. S. 143-216		
Rep. Allen C. Barbee	7/1/75	Two years
44. TAX STUDY COMMISSION — G. S. 143-433		
Cameron H. Easton	10/3/75	Two years
Sneed High	10/3/75	Two years
Rep. W. Stanford White	10/3/75	Two years
45. TECHNICAL ADVISORY COMMITTEE ON DELINQUENCY PREVENTION AND YOUTH SERVICES — G. S. 143B-207		
Rep. William A. Creech	8/19/75	Two years
Rep. Lura S. Tally	8/19/75	Two years
46. TRAFFIC SAFETY AUTHORITY — G. S. 143-392		
Rep. Ruth E. Cook	8/18/75	Not specified
47. UTILITY REVIEW COMMITTEE — SJR 549		
Rep. Thomas J. Baker	7/15/75	Five years
Rep. J. P. Huskins	7/15/75	Five years
Rep. George W. Miller, Jr.	7/15/75	Five years
48. YOUTH SERVICES, COMMISSION ON — HB 750 (Ratified Chapter 742) G. S. 134-4		
Rep. Joy J. Johnson	7/22/75	Four years
Rep. Margaret Tennille	7/22/75	Six years

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Grace Collins

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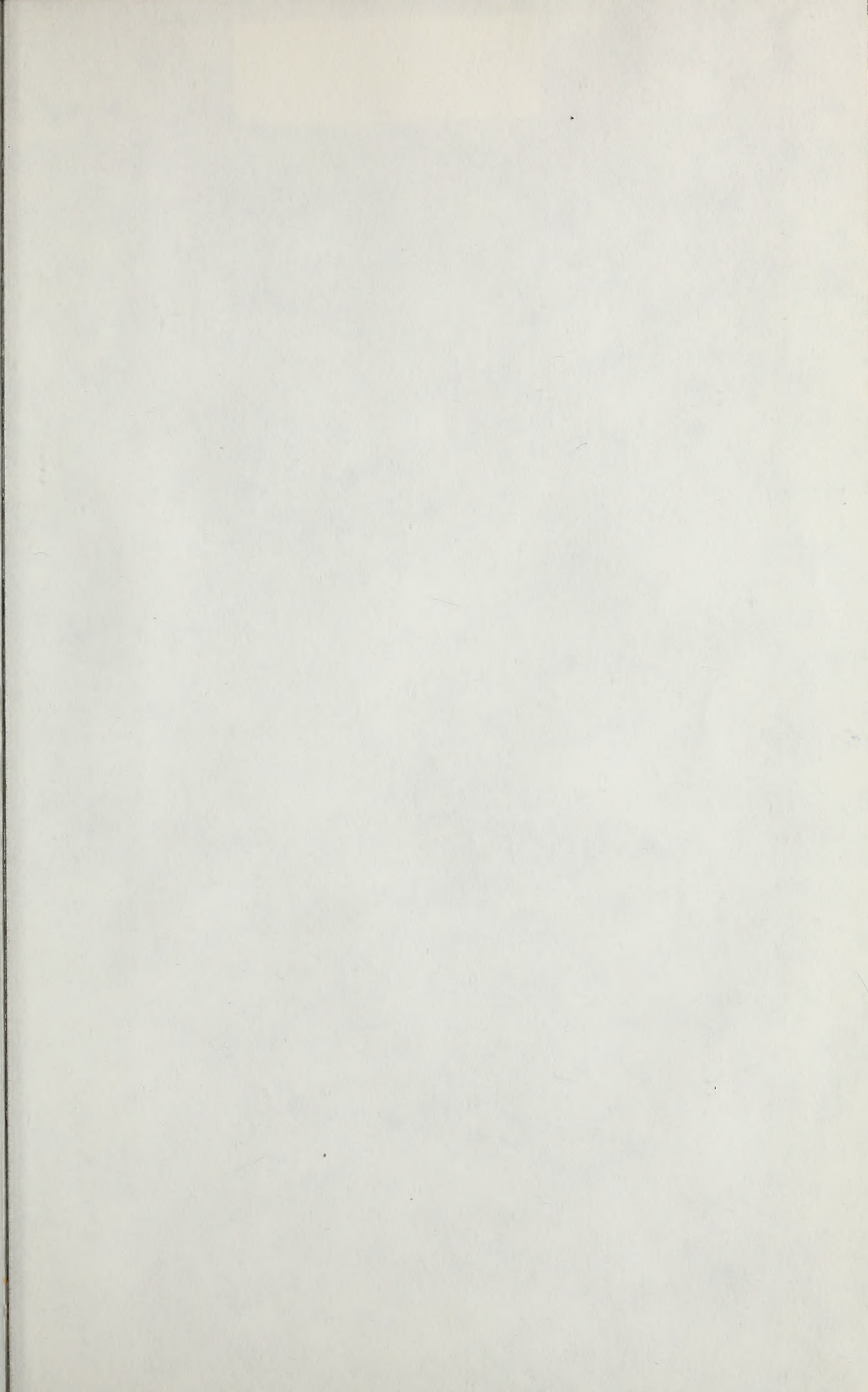
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